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Oregon. State Dept. — SEF.
A pamphlet containing a copy
of all measures "Referred to
the people by the Legislative
Assembly", etc., to be sub-
mitted... June, 1908.

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STATE OF OREGON, *State of Oregon*

A PAMPHLET

**Containing a Copy of All Measures "Referred
to the People by the Legislative Assembly,"
"Referendum Ordered by Petition of the
People," and "Proposed by Initiative Petition,"**

**To be submitted to the Legal Voters of the State of Oregon
for their approval or rejection**

AT THE

REGULAR GENERAL ELECTION

TO BE HELD

On the first day of June, 1908,

**TOGETHER WITH THE ARGUMENTS FILED, FAVORING AND
OPPOSING CERTAIN OF SAID MEASURES**

COMPILED AND ISSUED BY

FRANK W. BENSON, Secretary of State

(Publication authorized under Chapter 226, Laws of 1907.)



SALEM, OREGON

WILLIS S. DUNIWAY, STATE PRINTER

1908

449748

AN AMENDMENT

TO THE

CONSTITUTION OF THE STATE OF OREGON

TO BE SUBMITTED TO THE LEGAL ELECTORS OF THE STATE OF
OREGON FOR THEIR APPROVAL OR REJECTION

AT THE

REGULAR GENERAL ELECTION

TO BE HELD

ON THE FIRST DAY OF JUNE, 1908,

TO AMEND

SECTION 28 (29) OF ARTICLE IV

Proposed by the Legislative Assembly and filed in the office of the
Secretary of State February 13, 1907, in accordance with the
provisions of Section 1 of Article XVII of the Constitu-
tion of the State of Oregon, adopted by
the people June 4, 1906.

Printed in pursuance of Section 8 of Chapter 226, Laws of 1907.

Secretary of State.

The following is the form and number in which the question will be
printed on the official ballot:

REFERRED TO THE PEOPLE BY THE LEGISLATIVE ASSEMBLY

For an amendment of Section 28 (evidently intended
to be Section 29) of Article IV of the Constitution,
changing the compensation of members of the Legis-
lature to \$400 for each regular session and \$10 per
day for each extra session instead of \$3 per day and
mileage. (Section 28 provides the time when laws
take effect, and the proposed amendment is, there-
fore, wrongly numbered.)

Vote YES or NO.

300. Yes.

301. No.

[On Official Ballot, Nos. 300 and 301.]

HOUSE JOINT RESOLUTION.

Be it resolved by the House, the Senate concurring:

That the following amendment to the constituting [Constitution] of the State of Oregon is hereby proposed, and if ratified by the electors of the State, such approval to amend Section 28, Article IV, of the Constitution of the State of Oregon, by amending said Section 28, Article IV, so as to read as follows:

Section 28. The members of the Legislative Assembly shall receive for their services the sum of four hundred dollars for each regular session, which shall be in full of all compensation as per diem for such session. When convened in extra session by the Governor, they shall receive ten (\$10.00) dollars per day, but no extra session shall continue for a longer period than twenty days. They shall also receive their actual traveling expenses in going to and returning from their place of meeting, on the most usual route. The presiding officers of the assembly shall, in virtue of their office, receive an additional compensation equal to two-fifths of their per diem allowance as members.

Adopted by the House, February 1, 1907.

FRANK DAVEY,

Speaker of the House.

Concurred in by the Senate, February 10, 1907.

E. W. HAINES,

President of the Senate.

(Endorsed)—

House Joint Resolution No. 11.

W. LAIR THOMPSON, Chief Clerk.

Filed February 13, 1907.

F. W. BENSON, Secretary of State.

AN AMENDMENT

TO THE

CONSTITUTION OF THE STATE OF OREGON

TO BE SUBMITTED TO THE LEGAL ELECTORS OF THE STATE OF
OREGON FOR THEIR APPROVAL OR REJECTION

AT THE

REGULAR GENERAL ELECTION

TO BE HELD

ON THE FIRST DAY OF JUNE, 1908,

TO AMEND

SECTION 3 OF ARTICLE XIV

Proposed by the Legislative Assembly and filed in the office of the
Secretary of State February 13, 1907, in accordance with the
provisions of Section 1 of Article XVII of the Constitu-
tion of the State of Oregon, adopted by
the people June 4, 1906.

Printed in pursuance of Section 8 of Chapter 226, Laws of 1907.

Secretary of State.

The following is the form and number in which the question will be
printed on the official ballot:

REFERRED TO THE PEOPLE BY THE LEGISLATIVE ASSEMBLY

For an amendment of Section 3 of Article XIV of the
Constitution, to permit the location of State insti-
tutions elsewhere than at the seat of government
by act of the Legislature and vote of the people. Vote YES or NO.

302. Yes.

303. No.

[On Official Ballot, Nos. 302 and 303.]

AMENDED

SENATE JOINT RESOLUTION NO. 1,

As amended and reported by the Judiciary Committee, January 30th,
1907.

Be it resolved by the Senate, the House of Representatives concurring:

That Section 3 of Article XIV of the Constitution of the State of Oregon be amended to read as follows:

Section 3. The seat of government, when established as provided in Section 1, shall not be removed for a term of twenty (20) years from the time of such establishment, nor in any other manner than as provided in the first section of this article. All the public institutions of the State, not located elsewhere prior to January 1, 1907, shall be located in the county where the seat of government is, excepting when otherwise ordered by an act of the Legislative Assembly and is ratified by the electors of the State at the next general election following such act, by a majority of all the votes cast on the question of whether or not such act shall be ratified.

Concurred in by the House, February 8, 1907.

FRANK DAVEY,

Speaker.

Adopted by the Senate, January 17, 1907.

E. W. HAINES,

President.

(Endorsed)—

Senate Joint Resolution No. 1.

FRANK S. GRANT, Chief Clerk.

Filed February 13, 1907.

F. W. BENSON, Secretary of State.

A N A M E N D M E N T
TO THE
CONSTITUTION OF THE STATE OF OREGON
TO BE SUBMITTED TO THE LEGAL ELECTORS OF THE STATE OF
OREGON FOR THEIR APPROVAL OR REJECTION
AT THE
REGULAR GENERAL ELECTION

TO BE HELD
ON THE FIRST DAY OF JUNE, 1908,

TO AMEND

ARTICLE VII

Proposed by the Legislative Assembly and filed in the office of the
 Secretary of State February 19, 1907, in accordance with the
 provisions of Section 1 of Article XVII of the Constitu-
 tion of the State of Oregon, adopted by
 the people June 4, 1906.

Printed in pursuance of Section 8 of Chapter 226, Laws of 1907.
 Secretary of State.

The following is the form and number in which the question will be
 printed on the official ballot:

REFERRED TO THE PEOPLE BY THE LEGISLATIVE ASSEMBLY

An amendment to Article VII of the Constitution by
 increasing the number of judges of the Supreme
 Court from three to five, until otherwise provided
 by law, and authorizing the Legislative Assembly to
 provide by appropriate legislation for the exercise
 by the circuit courts, of the probate jurisdiction
 theretofore exercised by the county courts, and for
 the transaction of county business by and before
 some appropriate body or tribunal.

Vote YES or NO.

304. Yes.

305. No.

[On Official Ballot, Nos. 304 and 305.]

SENATE JOINT RESOLUTION NO. 7,

Introduced by the Judiciary Committee and Senator Bingham as a substitute for Senate Joint Resolution No. 3, introduced by Senator Bingham.

Resolved by the Senate, the House of Representatives concurring:

That the following amendment to the Constitution of the State of Oregon be, and the same hereby is proposed:

Article VII of the Constitution of the State of Oregon shall be, and the same hereby is, amended to read as follows:

ARTICLE VII.

Section 1. The judicial power of this State shall be vested in a Supreme Court and Circuit Court, which shall be courts of record, having general jurisdiction, to be defined, limited, and regulated by law. Justices of the peace and other inferior tribunals may also be invested with limited judicial powers, and municipal courts may be created to administer the regulations of incorporated towns and cities.

Section 2. The Supreme Court, from and after the first Monday in January, A. D. 1909, shall consist of five judges until otherwise provided by law. They shall be chosen by the electors of the State in such manner as may be provided by law, and shall be citizens of the United States and residents of the State of Oregon for at least six years next preceding their election.

Section 3. Each of the present judges of the Supreme Court and each judge elected or appointed before the presidential election in November, A. D. 1908, shall serve the term for which he was elected or appointed and until his successor shall be elected and qualified in the manner prescribed by law. At the regular presidential election in November, 1908, one judge of the Supreme Court shall be elected to serve for the term of four years, and one judge shall be elected to serve for the term of six years, beginning on the first Monday in January, A. D. 1909. Thereafter the term of each judge of the Supreme Court shall commence on the first Monday in January following his election, and except as to elections to fill vacancies each judge shall be elected to serve for the term of six years, and until his successor shall be elected and qualified in the manner provided by law. Nominations of candidates for the two supreme judges to be so elected in November, 1908, shall be by convention or by assembly of electors or by certificate of individual electors.

Section 4. Every vacancy in the office of judge of the Supreme Court shall be filled by election at the next general election for the remainder

of the vacant term, and until so filled the Governor shall fill the vacancy by appointment.

Section 5. The judge who has the shortest term to serve, or the oldest of several having such shortest term, and not holding by appointment, shall be the chief justice.

Section 6. The Supreme Court shall have jurisdiction only to revise the final decisions of circuit courts. Every cause shall be tried and every decision shall be made by not less than a majority of the members of the Supreme Court. If the court shall not be unanimous in the decision of any cause, any member disagreeing shall express his dissent on record, and may file his reasons therefor.

Section 7. The terms of the Supreme Court shall be appointed by law; but there shall be one term at the seat of government annually. During or at the close of each term the judges shall file with the Secretary of State concise written statements of the decisions, and dissenting opinions, if any, made at that term.

Section 8. There shall be chosen, for the term of six years, by the qualified electors in districts composed of one or more counties, a sufficient number of circuit judges, who shall hold court in the counties of their respective districts at such times, and in other counties under such conditions, as may be prescribed by law; but the existing circuit court shall continue to hold terms as now required by law until laws shall be enacted especially for the enforcement of the provisions of this article.

Section 9. All judicial power, authority, and jurisdiction not vested by this Constitution, or by laws consistent therewith, exclusively in some other court, shall belong to the circuit court; and it shall have appellate jurisdiction and supervisory control over all inferior courts, officers, and tribunals.

Section 10. Every circuit judge shall be a citizen of the United States, a resident of the district for which he shall be elected, and shall have resided in the State of Oregon at least six years before he is elected.

Section 11. Provision shall be made by law for the election and appointment of such district, county and precinct officers as may be necessary, and for fixing their compensation and terms of office and defining their duties and power in the conduct of public business.

Section 12. Public officers shall not be impeached; but incompetency, corruption, malfeasance, or delinquency in office may be tried in the same manner as criminal offenses and judgment may be given of dismissal from office, and such further punishment as may have been prescribed by law.

Section 13. The Governor may remove from office a judge of the Supreme Court or a judge of the circuit court, upon the joint resolution of the Legislative Assembly in which two-thirds of the members elected to each house shall concur, for incompetency, corruption, malfeasance, or delinquency in office, or other sufficient cause stated in such resolution.

Section 14. Every judge of the Supreme Court or circuit court, before entering upon the duties of his office, shall take and subscribe and transmit to the Secretary of State, the following oath:

"I,, do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution of the State of Oregon; and that I will faithfully and impartially discharge the duties of a judge of the Supreme (or circuit) Court of said State, according to the best of my ability, and that I will not accept any other office except judicial offices, during the term for which I have been elected."

Section 15. All the provisions of Article VII of the Constitution as the same existed prior to the adoption of this substitute therefor, and all laws now in force in accordance with said article, shall remain in force after the adoption of this substitute, except as to the provisions herein contained concerning the Supreme Court and the judges thereof, until the Legislative Assembly shall provide by appropriate legislation for the exercise by the circuit court of the probate jurisdiction heretofore exercised by the county court and for the transaction of county business by and before some appropriate body or tribunal.

Adopted by the House, February 15, 1907.

FRANK DAVEY,

Speaker.

Adopted by the Senate, February 15, 1907.

E. W. HAINES,

President.

(Endorsed)—

Senate Joint Resolution No. 7, substitute for Senate Joint Res. No. 3.

FRANK S. GRANT, Chief Clerk.

Filed February 19, 1907.

F. W. BENSON, Secretary of State.

A N A M E N D M E N T**TO THE****CONSTITUTION OF THE STATE OF OREGON****TO BE SUBMITTED TO THE LEGAL ELECTORS OF THE STATE OF
OREGON FOR THEIR APPROVAL OR REJECTION****AT THE****REGULAR GENERAL ELECTION****TO BE HELD****ON THE FIRST DAY OF JUNE, 1908,****TO AMEND****SECTION 14 OF ARTICLE II**

Proposed by the Legislative Assembly and filed in the office of the
Secretary of State February 23, 1907, in accordance with the
provisions of Section 1 of Article XVII of the Constitu-
tion of the State of Oregon, adopted by
the people June 4, 1906.

Printed in pursuance of Section 8 of Chapter 226, Laws of 1907.

Secretary of State.

The following is the form and number in which the question will be
printed on the official ballot:

REFERRED TO THE PEOPLE BY THE LEGISLATIVE ASSEMBLY

For amendment of Section 14 of Article II of the
Constitution, changing the time of holding the reg-
ular general biennial elections from the first Monday
in June to the first Tuesday after the first Monday
in November.

Vote YES or NO.

306. Yes.

307. No.

[On Official Ballot, Nos. 306 and 307.]

HOUSE JOINT RESOLUTION NO. 7,

Proposing amendment to the Constitution of the State of Oregon.

Resolved by the House, the Senate concurring:

That the following amendment to the Constitution of the State of Oregon be, and the same is hereby proposed:

Section 14 of Article II of the Constitution of the State of Oregon shall be and hereby is amended to read as follows:

Section 14. The regular general biennial election in Oregon for the year A. D. 1910 and thereafter shall be held on the first Tuesday after the first Monday in November. All officers except the Governor, elected for a six-year term in 1904 or for a four-year term in 1906, or for a two-year term in 1908, shall continue to hold their respective offices until the first Monday in January, 1911; and all officers, except the Governor, elected at any regular general biennial election after the adoption of this amendment, shall assume the duties of their respective offices on the first Monday in January following such election. All laws pertaining to the nomination of candidates, registration of voters and all other things incident to the holding of the regular biennial election shall be enforced and be effected the same number of days before the first Tuesday after the first Monday in November that they have heretofore been before the first Monday in June biennially, except as may hereafter be provided by law.

Adopted February 1, 1907.

FRANK DAVEY,
Speaker of the House.

Adopted February 23, 1907.

E. W. HAINES,
President of the Senate.

(Endorsed)—

House Joint Resolution No. 7.

W. LAIR THOMPSON, Chief Clerk.

Filed February 23, 1907.

F. W. BENSON, Secretary of State.

A M E A S U R E

Providing for the custody and control of persons confined in county jails and prisoners held to labor, and providing for the appointment and compensation of jailers and guards of prisoners in counties of more than one hundred thousand inhabitants, and providing for the compensation of sheriffs in the State and in counties of more than one hundred thousand inhabitants for the feeding and boarding of persons confined in jail, or at work, and declaring an emergency, filed in the office of the Secretary of State, February 16, 1907.

**TO BE SUBMITTED TO THE LEGAL ELECTORS OF THE STATE OF
OREGON FOR THEIR APPROVAL OR REJECTION**

AT THE

REGULAR GENERAL ELECTION

TO BE HELD

ON THE FIRST DAY OF JUNE, 1908.

Referendum ordered by petition of the people filed in the office of the Secretary of State, May 18, 1907, in accordance with the provisions of Section 1 of Article IV of the Constitution of the State of Oregon, adopted by the people June 2, 1902.

Printed in pursuance of Section 8 of Chapter 226, Laws of 1907.

Secretary of State.

The following is the form and number in which the question will be printed on the official ballot:

REFERENDUM ORDERED BY PETITION OF THE PEOPLE

An act providing that in all counties, the sheriff shall have the custody of prisoners committed to or confined in the county jail and such prisoners shall be worked at such places and for such time and in such manner as the county court may direct, and that, in counties of over one hundred thousand inhabitants, the salaries of guards and jailers shall not exceed \$90.00 per month, and the price of meals furnished prisoners shall be 12½c each.

Vote YES or NO.

308. Yes.

309. No.

AN ACT

"Providing for the custody and control of persons confined in county jails and prisoners held to labor, and providing for the appointment and compensation of jailers and guards of prisoners in counties of more than one hundred thousand inhabitants, and providing for the compensation of sheriffs in the State and in counties of more than one hundred thousand inhabitants for the feeding and boarding of persons confined in jail or at work, and declaring an emergency."

Be it enacted by the People of the State of Oregon:

Section 1. The sheriff in every county shall have the custody and control of all persons legally committed or confined in the county jail of his county during the period of such commitment or confinement. *Provided, however*, that such sheriff shall, under the direction of the county court of his county, in the case of prisoners in the county jail held to labor under existing laws, work such prisoners at such places and for such time and in such manner as the county court may direct; and *provided, further*, that the sheriff may retain and put to work such number of such prisoners, not exceeding ten, as may be required to perform necessary services in and about such jail and in the care thereof.

Section 2. In the counties of more than one hundred thousand inhabitants, the sheriff may appoint two jailers for each jail within such county, and may upon order of the county court of such county appoint as many additional jailers as in the opinion of such court may be necessary, and where prisoners are worked on county roads or engaged in any public work, such sheriff may, upon order of said county court, appoint as many guards as in the opinion of such court may be necessary for the proper control and safeguarding of such prisoners. Each such jailer shall receive a salary not to exceed \$90.00 per month and each such guard shall receive such salary as shall be fixed by order of said county court, and all such salaries shall be paid by said county in the same manner that other officers and employees of said county are paid. Each such jailer and guard shall have the power and authority of a deputy sheriff.

Section 3. In counties of more than one hundred thousand inhabitants, the sheriff shall receive 12½ cents per meal for the boarding of each person lawfully confined in the jail of his county and the same price for the boarding of each prisoner who, because of being engaged in working on the county road or on other public work, is not confined in such jail; and such sheriff shall furnish three meals per day to all persons held for trial or as witnesses or on account of insanity or held to labor while so engaged; but to prisoners serving sentence and not engaged in labor, such sheriff shall furnish only two meals.

Sec. 4. All acts and parts of acts in conflict herewith are hereby repealed.

Passed the House, February 7, 1907.

FRANK DAVEY, Speaker of the House.

Passed the Senate, February 13, 1907.

(Endorsed)—

E. W. HAINES, President of the Senate.

House Bill No. 243.

W. LAIR THOMPSON, Chief Clerk.

Executive Department, State of Oregon. Received February 14, 1907.

Filed February 16, 1907.

F. W. BENSON, Secretary of State.

A M E A S U R E

To regulate the appropriation of land for corporate purposes, and to require the grant of personal right during their term of office to public officials to travel over transportation lines as a condition precedent to the right of action for the condemnation of land and to prohibit payment of mileage for such free travel, filed in the office of the Secretary of State February 20, 1907.

**TO BE SUBMITTED TO THE LEGAL ELECTORS OF THE STATE OF
OREGON FOR THEIR APPROVAL OR REJECTION**

AT THE

REGULAR GENERAL ELECTION

TO BE HELD

ON THE FIRST DAY OF JUNE, 1908.

Referendum ordered by petition of the people filed in the office of the Secretary of State, May 22, 1907, in accordance with the provisions of Section 1 of Article IV of the Constitution of the State of Oregon, adopted by the people June 2, 1902.

Printed in pursuance of Section 8 of Chapter 226, Laws of 1907.

Secretary of State.

The following is the form and number in which the question will be printed on the official ballot:

REFERENDUM ORDERED BY PETITION OF THE PEOPLE

For an act requiring railroads and other common carriers to grant free transportation to State officers and county judges and sheriffs, as a condition precedent to acquiring land for corporate purposes by the exercise of eminent domain, and to prohibit the payment of mileage for such free transportation. **Vote YES or NO.**

310. Yes.

311. No.

[On Official Ballot, Nos. 310 and 311.]

AN ACT

To regulate the appropriation of land for corporate purposes, and to require the grant of personal right during their term of office to public officials to travel over transportation lines as a condition precedent to the right of action for the condemnation of land and to prohibit payment of mileage for such free travel.

Be it enacted by the people of the State of Oregon:

Section 1. Whenever any corporation authorized by law to appropriate lands, right of way, right to cut timber or to cross or connect with another railway, or other rights or easements in lands, is unable to agree with the owner thereof as to the compensation to be paid therefor, or if such owner be absent from the State, such corporation may maintain an action in the circuit court of the State of Oregon for the proper county against said owner for the purpose of having such lands, right to cut timber, right of way, or to cross or to connect with another railway, or other right or easement, appropriated to its use for determining the compensation to be paid to such owner therefor, as provided in chapter II of title XLI of Bellinger and Cotton's Annotated Codes and Statutes of Oregon; *provided, however*, that as a condition precedent to the right to institute or carry on such action in any court in the exercise of the right of eminent domain as provided by law, the corporation seeking to appropriate lands, right of way, right to cut timber or to cross or connect with another railway, or other right or easement in lands, must file with the Secretary of State of the State of Oregon, a certificate granting to the officers hereinafter named, during their respective terms of office, the right and privilege of free transportation over any and all railway lands owned, operated, or controlled by said corporation within the State of Oregon. The fact of the act of filing such certificate as hereinbefore provided must be set forth in the first pleading filed by such corporations in the action hereinbefore provided for.

Section 2. From and after the filing of the certificate mentioned in section 1 of this act, all the following State, district, and county officers of the State of Oregon, to-wit: Governor, Secretary of State, State Treasurer, Attorney-General, Superintendent of Public Instruction, State Printer, Oregon Dairy and Food Commissioner, Game and Forestry Warden, Fish Commissioner, State Health Officer, State Engineer, State Land Agent, the members of the Legislative Assembly of the State of Oregon, the judges of the Supreme Court of the State of Oregon, the circuit judges, the prosecuting attorneys, and the county judges and sheriffs of each county shall, during the terms of their respective offices,

have the right and privilege, by virtue of their office, to free transportation within the State of Oregon over any and all railway lines mentioned in said certificate, and the certificate of election or appointment, or a certified copy thereof, shall of itself be evidence of the right to the exercise of such privilege of free transportation. The conductor or other official of such railway lines so filing said certificate as aforesaid, shall take the name of such official, the title of his office, and the date of his certificate, in lieu of a ticket or other evidence of the right to travel over railway lines.

Section 3. For the purposes of this act, all railways within the State of Oregon shall be considered common carriers of passengers for hire.

Section 4. No officer herein mentioned who secures free transportation under the provisions of this act, shall be entitled to, or collect mileage from the State, district, or county for such free travel so obtained.

Section 5. All acts and parts of acts in conflict herewith are hereby repealed.

Passed the House, February 6, 1907.

FRANK DAVEY,
Speaker of the House.

Passed the Senate, February 14, 1907.

E. W. HAINES,
President of the Senate.

(Endorsed)—

House Bill No. 241.

W. LAIR THOMPSON, Chief Clerk.

Executive Department, State of Oregon. Received Feb. 15, 1907.

Special order Tuesday February 19, 1907, 2 P. M.

Passed notwithstanding the veto of the Governor, February 19, 1907.

W. LAIR THOMPSON.

Passed notwithstanding the veto of the Governor, February 20, 1907.

FRANK S. GRANT, Chief Clerk Senate.

Passed the House notwithstanding the Governor's veto, Feb. 19, 1907.

FRANK DAVEY, Speaker of the House.

Passed the Senate notwithstanding the Governor's veto, Feb. 20, 1907.

E. W. HAINES, President of the Senate.

House Bill No. 241.

W. LAIR THOMPSON, Chief Clerk.

Filed February 20, 1907.

F. W. BENSON, Secretary of State.

A M E A S U R E

To provide for armories for the Oregon National Guard, to appropriate moneys therefor and to regulate the disbursement thereof, filed in the office of the Secretary of State, February 26, 1907.

**TO BE SUBMITTED TO THE LEGAL ELECTORS OF THE STATE OF
OREGON FOR THEIR APPROVAL OR REJECTION**

AT THE

REGULAR GENERAL ELECTION

TO BE HELD

ON THE FIRST DAY OF JUNE, 1908.

Referendum ordered by petition of the people filed in the office of the Secretary of State, May 22, 1907, in accordance with the provisions of Section 1 of Article IV of the Constitution of the State of Oregon, adopted by the people June 2, 1902.

Printed in pursuance of Section 8 of Chapter 226, Laws of 1907.

Secretary of State.

The following is the form and number in which the question will be printed on the official ballot:

REFERENDUM ORDERED BY PETITION OF THE PEOPLE

An act to appropriate twenty-five thousand dollars annually for four years, to be used in purchasing grounds and building armories for the use of the Oregon National Guard, the money to be expended under the supervision of the State Military Board at any time during the four years, the board not being required to use each appropriation the year it is appropriated. The Oregon National Guard is required to pay to the State Treasurer such rental, for the use of said armories, as may be fixed by the State Military Board.

Vote YES or NO.

312. Yes.

313. No.

[On Official Ballot, Nos. 312 and 313.]

AN ACT

To provide for armories for the Oregon National Guard, to appropriate moneys therefor and to regulate the disbursement thereof.

Be it enacted by the People of the State of Oregon:

Section 1. That the sum of one hundred thousand dollars (\$100,000) is hereby appropriated out of any moneys in the "General Fund" in the State treasury, not otherwise appropriated, for the purpose of purchasing ground and constructing armories thereon in the several cities and towns in the State of Oregon, for the use of the Oregon National Guard, the same to be a continuing appropriation of twenty-five thousand dollars (\$25,000) annually for the ensuing four (4) years; and the use and expenditure of the said sum hereby appropriated shall not be limited to any particular year, and may be expended at any period within the four ensuing years.

Section 2. That the purchasing of suitable locations and construction of such armories shall be upon the recommendations and under the supervision of the State Military Board of the State of Oregon, which shall adopt such regulations for the maintenance and control of said armories as may be deemed necessary by it.

Section 3. That said armories shall be constructed in such cities or towns not already provided with armories, where one or more companies of the Oregon National Guard, fully organized under the laws of the State of Oregon, may be located, and where, in the judgment of the State Military Board, it will be most convenient to the companies, and where most necessary.

Section 4. That the said armories shall be safe, suitable, and of sufficient size for the drilling of a company or battalion, according to where the same may be located; *provided*, that if two or more companies are organized in one town or city, said companies shall each have the use of said armory.

Section 5. That each company of infantry and naval division, each troop of cavalry and battery of artillery, and each fully organized band or corps established by authority of the Military Board, using said armories, shall pay to the State Treasurer of the State of Oregon, each quarter, out of its annual allowance, such sum as rental for the use thereof as the Military Board shall from time to time fix and establish.

Passed the House, February 12, 1907.

FRANK DAVEY, Speaker of the House.

Passed the Senate, February 19, 1907.

E. W. HAINES, President of the Senate.

(Endorsed)—

House Bill No. 118.

W. LAIR THOMPSON, Chief Clerk.

Executive Department, State of Oregon. Received February 20, 1907.

Filed February 26, 1907.

F. W. BENSON, Secretary of State.

ARGUMENT

(negative)

SUBMITTED BY

A. T. BUXTON, B. G. LEEDY, and C. E. SPENCE,
Executive Committee, Oregon State Grange,
opposing the measures designated on the official ballot as follows:

REFERENDUM ORDERED BY PETITION OF THE PEOPLE

For an act requiring railroads and other common carriers to grant free transportation to State officers and county judges and sheriffs, as a condition precedent to acquiring land for corporate purposes by the exercise of eminent domain, and to prohibit the payment of mileage for such free transportation. Vote YES or NO.

310. Yes.

311. No.

An act to appropriate twenty-five thousand dollars annually for four years, to be used in purchasing grounds and building armories for the use of the Oregon National Guard, the money to be expended under the supervision of the State Military Board at any time during the four years, the Board not being required to use each appropriation the year it is appropriated. The Oregon National Guard is required to pay to the State Treasurer such rental, for the use of said armories, as may be fixed by the State Military Board. Vote YES or NO.

312. Yes.

313. No.

ARGUMENTS AGAINST PASS LAW AND ARMORY ACT.

The executive committee of the Oregon State Grange offers the following argument in support of the referendum upon the above measures, Nos. 310-311 and 312-313.

WHY THE "FREE PASS" BECAME AN ISSUE.

The primary reason for the agitation of the "Free Pass" question was the generous manner in which railway companies furnished free transportation to public officials, with the expectation, no doubt, of receiving some favors in return. Members of the Legislature were especi-

ally favored with free passes, and they could and did furnish their friends with passes also.

Corporations are not generally supposed to give something for nothing; therefore the growth of a sentiment in favor of removing the influence of the Free Pass. So strong did this sentiment become that at the election in June, 1906, the voters of the State gave an initiative Anti-Pass Law an overwhelming majority. But this measure was considered inoperative on account of the omission of the enacting clause.

In the face of the fact that a majority of the voters had favored an Anti-Pass Law, the Legislature enacted this Compulsory Pass Law, which provides that railway companies shall file a certificate with the Secretary of State, granting passes to certain State, district and county officers before said company can enter into a lawsuit to condemn land, timber, etc.

This "condemnation" clause is only a flimsy excuse to legalize the giving of passes, for, while companies that have secured their rights of way or are able to secure them without a lawsuit are not required to give passes, yet they may file certificates and grant passes whether they wish to enter suit or not.

So the argument that, under the compulsory system, the conditions which gave the railway a motive for giving the pass, are removed, falls flat, for if any of our present roads give passes, they would do so as a special favor to the officials for which they would expect the same return favors as before.

Furthermore, the free pass granted to the officers who are placed in the favored class has no connection with their official capacity, for they are given free passes whenever they choose to travel on a railway, anywhere in the State at any time during their incumbency in office whether they are on official business or not.

Members of the Legislature, for example, might have occasion to use the pass in travelling on official business, at any time during the forty days of the biennial session. The remainder of their two-years terms they would travel on their own business or pleasure. Is it to be expected that such privilege would be without its influence? The people, by their votes, have once indicated that they did not think so, and we think they will again be disposed to vote "No" upon the measure.

Section 29, article IV, of the Constitution of the State, in providing for the traveling expenses of members of the Legislature, says in part: "They shall also receive the sum of three dollars for every twenty miles they shall travel in going to and returning from their place of meeting on the most usual route." This cannot be changed except by constitutional amendment. Section 4 of the Compulsory Pass Law reads: "No officer herein mentioned who secures free transportation under the provisions of this act shall be entitled to, or collect mileage from the State, district or county for such free travel so obtained."

It is evident the legislator cannot obey both unless it was intended to make it legal for him to collect the constitutional traveling fee and travel on a pass at the same time.

THE ARMORY APPROPRIATION.

The State Grange has not called the referendum on the armory appropriation bill in any spirit of opposition to the State Militia, but there are a few facts which we desire to bring to the attention of the taxpayers.

In the great majority of cases in which the State Militia of the country has been called upon for active service, it has been to help in the settlement of disputes between large corporations and their employees. In our State these corporations have steadfastly resisted every attempt to levy tribute upon them for the support of the State government. The Pacific Telephone Company has refused to pay the small gross-earnings tax levied upon it by the initiative law enacted at the last general election and, backed by other similar corporations, is now bringing suit to overthrow the whole system of direct legislation and putting the State to additional expense to defend that system and enforce the collection of the tax.

Let these corporations, which give occasion for the existence of the State Militia, pay their just share for the support of the government whose protection they demand; then, if armories be needed, they can be provided without placing any additional burden upon the property that is already carrying all the load that it can stand.

Furthermore, we object to this measure not merely for the sake of saving this particular \$100,000.00. If there were assurance that the matter would stop at this amount, it would not be so serious or objectionable. But under the provisions of this bill the way may be opened for endless graft in the future. No definite number of armories are provided for, but they are to be erected upon the recommendation of the State Military Board in the towns where one or more companies of the Oregon National Guard are located. No limitations were placed upon the cost of the different buildings.

Does any one believe that \$100,000 would be sufficient to buy land and erect ten or twelve strong, substantial buildings of a permanent character and of sufficient size for the purpose of a drill hall for companies or battalions? If the amount did not prove to be sufficient, what then? Every town with an organization is entitled to an armory, under this law. There would seem to be no other way than for an additional appropriation to be made at the next session of the Legislature.

Then again, if some towns find themselves well provided with public funds to expend, what is to prevent other towns from organizing militia companies and demanding the erection of additional armories?

Any one familiar with the methods by which such matters are generally carried through the Legislature by the formation of log-rolling combinations may well ask where this species of graft will stop if once begun.

A. T. BUXTON,
B. G. LEEDY,
C. E. SPENCE,

Executive Committee, Oregon State Grange.

(Endorsed) —

Filed February 24, 1908.

F. W. BENSON, Secretary of State.

A M E A S U R E

To amend Section 3529 of Bellinger and Cotton's Annotated Codes and Statutes of Oregon, by increasing the annual appropriation for the support and maintenance of the University of Oregon, filed in the office of the Secretary of State, February 20, 1907.

TO BE SUBMITTED TO THE LEGAL ELECTORS OF THE STATE OF
OREGON FOR THEIR APPROVAL OR REJECTION

AT THE

REGULAR GENERAL ELECTION

TO BE HELD

ON THE FIRST DAY OF JUNE, 1908.

Referendum ordered by petition of the people filed in the office of the Secretary of State, May 23, 1907, in accordance with the provisions of Section 1 of Article IV of the Constitution of the State of Oregon, adopted by the people June 2, 1902.

Printed in pursuance of Section 8 of Chapter 226, Laws of 1907.
Secretary of State.

The following is the form and number in which the question will be printed on the official ballot:

REFERENDUM ORDERED BY PETITION OF THE PEOPLE

An act to amend Section 3529 of Bellinger and Cotton's Annotated Codes and Statutes of Oregon by increasing the annual appropriation for the support and maintenance of the University of Oregon.

Vote YES or NO.

314. Yes.

315. No.

[On Official Ballot, Nos. 314 and 315.]

AN ACT

To amend Section 3529 of Bellinger and Cotton's Annotated Codes and Statutes of Oregon, by increasing the annual appropriation for the support and maintenance of the University of Oregon.

Be it enacted by the People of the State of Oregon:

Section 1. That Section 3529, Chapter 6, Title XXXIII, of Bellinger and Cotton's Annotated Codes and Statutes of Oregon, be and the same is hereby amended to read as follows:

Section 3529. The sum of \$125,000 is hereby appropriated for the year 1907 and annually thereafter, for the support and maintenance of the University of Oregon; to keep the buildings, grounds, and other property thereof in repair; for the purchase of additional land for the campus thereof; for the construction of buildings and additions to the same; and for the purchase of library books, laboratory supplies and apparatus. This fund shall be paid out only on warrants drawn by the Secretary of State on the State Treasurer against said fund. This fund shall be a continuing fund and if the amount appropriated for any one year shall not be used during such year, the balance remaining shall be carried over to the next year and added to the fund for that year, and the Secretary of State is authorized and directed to audit and allow all claims otherwise payable out of such fund, regardless of the date when contracted.

Passed the House, February 11, 1907.

FRANK DAVEY, Speaker of the House.

Passed the Senate, February 17, 1907.

E. W. HAINES, President of the Senate.

(Endorsed)—

House Bill No. 37.

W. LAIR THOMPSON, Chief Clerk.

Executive Department, State of Oregon. Received February 14, 1907.

Special order Tuesday, February 19, 1907, 2:00 P. M.

Passed notwithstanding the veto of the Governor, February 19, 1907.

W. LAIR THOMPSON.

Passed notwithstanding the veto of the Governor, February 19, 1907.

FRANK S. GRANT, Chief Clerk Senate.

Passed the House notwithstanding the Governor's veto, Feb. 19, 1907.

FRANK DAVEY, Speaker of the House.

Passed the Senate notwithstanding the Governor's veto, Feb. 19, 1907.

E. W. HAINES, President of the Senate.

House Bill No. 37.

W. LAIR THOMPSON, Chief Clerk.

Filed February 20, 1907.

F. W. BENSON, Secretary of State.

ARGUMENT

(affirmative)

SUBMITTED BY

THE UNIVERSITY OF OREGON ALUMNI ASSOCIATION
in favor of the measure designated on the official ballot as follows:

REFERENDUM ORDERED BY PETITION OF THE PEOPLE

An act to amend Section 3529 of Bellinger and Cotton's Annotated Codes and Statutes of Oregon by increasing the annual appropriation for the support and maintenance of the University of Oregon. Vote YES or NO.

314. Yes.

315. No.

*Argument in Favor of University of Oregon Appropriation Bill presented
by University of Oregon Alumni Association.*

Filed February 1, 1908, by C. N. MCARTHUR, Chairman University of
Oregon Alumni Campaign Committee.

APPEAL FOR STATE UNIVERSITY.

**Alumni Committee Offers Reasons Why Citizens Should Support Higher
Education**

**Strong Argument for Consideration of Every Fair-minded and Progressive
Taxpayer of Oregon.**

PORTLAND, Oregon, February 1, 1907.

To the Voters of Oregon:

The last session of the Oregon Legislature passed a bill appropriating \$125,000, annually, for the support and maintenance of the University of Oregon, for keeping buildings, grounds and the other property thereof in repair, and for the construction of buildings, for the purchase of land, apparatus, library books and supplies.

A referendum was invoked upon the bill, so it will not become a law until it is approved by a majority of the voters of the State at the regular election on June 1st, 1908. The Alumni of the University of

Oregon issue this statement to the voters of Oregon, in the confident hope and belief that careful consideration of the facts will induce them to vote "yes" on the ballot and convert the bill into a law.

UNIVERSITY ATTENDANCE INCREASES.

The University, along with the rest of the State, has just entered upon a remarkable period of growth. In every section of Oregon there are being established high schools, from which the sons and daughters of the people are finding their way in steadily increasing numbers to the halls of the University. The attendance has doubled since 1901 and has increased 23 per cent since last year, despite the referendum and the temporary crippling of the institution. There are now four hundred students in the departments at Eugene, exclusive of music, and a total enrollment (including the professional schools) of six hundred students. It is reasonable to believe that the rate of increase will be still more rapid during the next few years, owing to the fact that the number of high schools is rapidly growing and a large percentage of their graduates are finding their way to the University.

OREGON APPROPRIATION SMALLEST.

It is a lamentable fact that the University of Oregon is now receiving the smallest appropriation for maintenance of any State University in the Union. The present appropriation from this State amounts to \$47,500. In addition to this, the University receives about \$12,000 a year from interest-bearing funds and registration fees. The University of Washington receives \$200,000 per year (exclusive of buildings) for maintenance; the University of Idaho, \$71,150; the University of Montana, \$74,550; the University of Colorado, \$145,000; the University of Nevada, \$85,000; the University of Iowa, \$230,000; the University of Wisconsin, \$721,000; the University of Nebraska, \$235,500; and the University of California, \$558,035. Many of these States are also spending large sums for buildings and improvements. The last Legislature of the State of Washington appropriated \$600,000 for new buildings at the University of Washington. Besides these large sums spent for the support of their universities, the people of Washington, Utah, Colorado and Montana are supporting their agricultural colleges in a most liberal manner, and the people of Colorado and Montana are each supporting a State School of Mines.

COMPARATIVE COST PER STUDENT.

The direct maintenance cost per student to the State (exclusive of buildings) in a number of typical western universities, for the year 1907, is shown in the following table. A second table shows the entire cost per student to the State, including expenditures for building and equipment. The maintenance figure for Oregon is estimated on the basis of the new appropriation of \$125,000, and not of the present appropriation of \$47,500, which would make a cost per student much less. The number of students given is inclusive of the department of Liberal Arts, Engineering, Medi-

cine, and Law, for the reason that the outside State University reports include all departments, and it is not possible to make an accurate segregation in the funds in arriving at the cost per student to the State.

TABLE 1.

State.	For maintenance only.	Total number students.	Population of State (1900 census.)	Cost to the State per student.
Washington	\$202,000	1268	518,103	\$151.00
Oregon (a)	80,000	600	413,536	133.00
Idaho	71,150	(b) 397	161,772	179.00
California	558,035	3000	1,485,052	180.60
Montana	74,550	(c) 383	243,329	194.00
South Dakota	58,000	(d) 210	401,570	276.00
North Dakota	67,368	(e) 455	319,146	148.00
Iowa	230,000	1815	2,231,853	126.50
Wisconsin	721,000	3500	2,069,042	200.00

TABLE 2.

State.	(f) Total appropriations for maintenance and buildings.	Total number students.	Cost to the State per student.
Washington	\$500,000	1268	\$392.00
Oregon	125,000	600	208.00
Idaho	129,150	(b) 397	325.00
California	822,148	3000	274.00
Montana	87,550	(c) 383	228.00
North Dakota	147,171	(e) 455	323.00
Iowa	230,000	1815	321.00
Wisconsin	921,000	3500	207.00
	Income.		Cost per student.
Harvard	\$1,700,000	3945	\$420.00
Yale	921,444	3208	287.00

BASIS OF COMPARISONS.

It is perfectly clear that the only fair comparison of cost per student is between institutions doing a similar grade of work. It is grossly unjust to compare the cost in a university with the cost in elementary schools, or even in colleges which are struggling desperately to secure proper equipment and more nearly adequate support. The cost at the University of Oregon is extremely low as compared with the cost in other State universities, and that is the real test.

- (b) 162 of Idaho's 397 students are preparatory.
- (c) 194 of Montana's 383 students are preparatory.
- (d) 80 of South Dakota's 210 students are preparatory.
- (e) 267 of North Dakota's 455 students are preparatory.
- (a) Estimated expenditure for maintenance under new appropriation, the rest of the appropriation to go for building and equipment.
- (f) Student fees and interest bearing funds not included.

SCALE OF SALARIES LOW.

The scale of salaries at the University of Oregon is lower than that of a great majority of State universities. The salary of the president is \$3,000, as against \$10,000 at the University of California, \$4,500 at the University of Washington, \$3,600 at the University of Idaho, \$4,000 at the University of Montana, and \$5,000 at the Oregon Agricultural College. The maximum salaries paid to professors at the University of Oregon is \$2,000, as against a standard university salary of not less than \$3,000. Only eight professors receive the full salary of \$2,000; nine receive \$1,600 per year, and the remaining members of the instructional force receive salaries ranging from \$1,200 to \$300 per year. The entire salary roll is lower than that of superintendent, principals and grade teachers in good city schools.

The rapid growth in the number of students enrolled at the University has pushed every member of the teaching force up to maximum work. With the certain increase in numbers next year, it will be absolutely necessary to employ additional instructors. The department of Geology has been without a head since the death of Dr. Condon, two years ago, owing to the lack of funds with which to pay salaries. Several departments are so badly overcrowded that they should be divided and new men secured to take a part of the work.

OREGON LOWEST IN EQUIPMENT.

In the matter of equipment and buildings the University of Oregon is also at the foot of the list. The total value of the land, buildings and equipment at the University of Oregon is \$350,000, as compared with \$500,000 at the University of Idaho, \$360,000 at the University of Montana, \$719,500 at the University of Utah, \$514,000 at the University of Colorado, and \$5,641,000 at the University of California. The campus of the University of Oregon contains but twenty-seven acres of land, while the campus of the University of Washington contains 270 acres.

UNIVERSITY IS BADLY CRIPPLED.

The present condition of the University of Oregon is deplorable. Class-rooms and laboratories are overcrowded, and no relief can be had without new buildings. The woman's dormitory cannot be used because there is no money with which to provide the heating plant, and the library building is wholly destitute of lights. During the months of October, November and December, 1907, the faculty of the University served without pay, there being no money left in the treasury. Several members of the faculty received flattering offers to go elsewhere, but out of loyalty to the University and to the State, they declined these offers and remained. These facts are injurious to Oregon's good name as an educational State, and the conditions are unjust to the young men and women who are to receive their education in Oregon.

NEW SETTLERS DEMAND GOOD SCHOOLS.

The States of the Middle West from which Oregon is endeavoring to attract immigration are appropriating large sums for their universities. Iowa, for example, appropriated \$583,566 for her university for the year 1907, and Kansas appropriated \$367,500. Both these States are liberal in the support of their agricultural colleges.

A veto of the Oregon appropriation by the voters of the State will seriously injure the reputation of Oregon among the great commonwealths of the Middle West. Sixty per cent of the students in the Oregon high schools have entered the State from other States during the past five years. These figures show plainly that settlers from the East and Middle West expect Oregon to provide an efficient system of schools.

LOSS TO THE STATE THROUGH STUDENTS GOING ELSEWHERE.

At the present time more than 200 young men and women from the State of Oregon are attending colleges in other States. The cost to each of these students for travel, tuition and living is not less than \$500 per year (in many instances \$1,000 per year), and in this way Oregon is losing more than \$100,000 each year. Worse still, she loses permanently many of these most promising young men and women who go elsewhere for their education. It is hard to estimate how much each of them might be worth to Oregon. We are now sending to Washington and California more than a hundred students, many of whom will locate in the State where they receive their education. Let us build up in Oregon an institution equal to the best to be found anywhere, not only in order that we may keep at home the students who now go away, but also that we may offer opportunities for the most thorough training to the boys and girls who are unable to afford the expense of leaving their own State. They can manage by industry to make their way through their own State University, where no tuition is charged, but are absolutely barred by the \$500 to \$800 required to go out of the State.

THE OPPORTUNITY OF THE POOR.

Poor and rich alike can share in the advantages offered by the State University. Tuition is free, and the cost of living low. Any determined young man or woman can hope to get a University education. A wide field of opportunity is opened up by the training given at the State University. Statistics show that the earning powers are fully doubled, and this is but a small part of the real gain. In a government by the whole people, the training which will prepare for the highest positions ought to be abundantly provided for the sons and daughters of all the people.

STUDENTS ARE SELF-SUPPORTING.

The students at the University of Oregon come from the common people. Few of them have the means to pay tuition and attend the big institutions of the East. Sixty-five per cent of the young men at Eugene are earning their own way, either wholly or partially, through college.

Students have entered the University with less than \$20.00 in money, and yet have been able, through their own exertions, to work their way through to graduation. Its students are in college because they want an education. They are in earnest. They mean business. Why should they not be given the facilities and opportunities that the young men and women of other States are given?

UNIVERSITY A PART OF THE PUBLIC SCHOOL SYSTEM.

The States which support their universities most liberally are the ones that have the strongest system of public schools; as for example, California, Iowa, Wisconsin and Minnesota. A strong university is absolutely necessary for a strong public school system, for the university is nothing more or less than the head of the State's public schools. The University of Oregon has exerted a strong influence over the public school system of the State. More than 125 of its graduates are teaching in the public schools and high schools of Oregon. Eighteen out of fifty-four young men and women who were graduated last June are now teaching in the State's common schools and high schools. The demand for well-trained teachers is three times as large as the supply. The influence of the University over the school system of the State will become greater as the University becomes stronger.

It is absurd to say that the University appropriation stands in the way of the development of the public schools. The cost of the University, annually, to each person in the State is less than thirty cents, (g) on the basis of the appropriation of \$125,000. The rate of the University tax would be less than one-fourth of a mill.

UNIVERSITY SERVES ALL THE PEOPLE.

The aim of the University is to serve not only the students who are within its walls for instruction, but also the people of the State at large. To this end, correspondence courses have been established and instruction is now being given to 250 students in every part of the State, who are not able to attend the University.

The departments of Economics, Education, Mining and others have responded loyally to the many calls made on them, and every department in the University is constantly serving the State.

AMOUNT OF INCREASE IN APPROPRIATION.

The proposed appropriation of \$125,000 will stand in lieu of the present annual appropriation of \$47,500 per year, and of all special appropriations, such as have been made in the past. Special appropriations were necessary at the session of the Legislature in 1903, and also in 1905. The average amount provided by the State during the years of 1905 and

(g) This estimate is made on the basis of the census of 1900. On the basis of the present population, the annual cost to each person in the State will be less than twenty-five cents.

1906 was \$78,750 per year. The increase in the appropriation is from this amount to the new appropriation of \$125,000, or \$46,250 per year.

FOR WHAT NEEDED.

The estimate for the bare cost of maintenance (exclusive of buildings, laboratory equipment and of books for library) is \$80,000, on the most economical basis.

New recitation buildings, now urgently need, will cost not less than \$50,000.

An adequate dormitory should be provided for the young women of the University, costing approximately \$40,000.

Additional land should be secured while it is available. An expenditure of from \$15,000 to \$25,000 for land at the present time would save a much larger expenditure in the future.

A number of the departments are badly in need of modern laboratory equipment. It will require at least \$15,000 to put them in condition for good work. The Library stands in need of \$10,000 for books and general equipment, to bring it up to the efficiency of even the smaller university libraries.

The grounds, heating plant and furniture for new buildings will require \$15,000.

The needs above specified aggregate \$155,000, enough to consume the margin above cost of maintenance for at least three years, with all other sources of revenue counted, and without making any allowance for increased expenditures necessarily attendant on the rapidly increasing number of students.

ADVANTAGES OF A CONTINUING APPROPRIATION.

The appropriation bill which is about to be voted upon provides for a continuing appropriation. The proposed bill was modelled after the bill which provides for a continuing appropriation at the Oregon Agricultural College.

The continuing appropriation has been tried in other States, where it has served to keep the universities from political and other combinations and complications in the State legislatures. It is now very generally accepted in principle.

WHY UNSEGREGATED.

If an appropriation is to be a continuing one, extending over a number of years, it is obviously impossible to segregate it into separate funds for maintenance, buildings and improvements, for the reason that the needs of each year will differ from those of the preceding year as the University grows in numbers and expands in its work. The maintenance side will inevitably grow larger as the enrollment of students increases. If the University is to be freed from the necessity of going to the Legislature every two years for special appropriations, the only possible method is to leave the Board of Regents free to use the total resources of each year to meet the need of the year as their best judgment may determine. The

Board is composed of disinterested and representative citizens, living in widely scattered sections of the State, who have no interest to serve but that of the public welfare. They are more familiar with the needs of the University each year than any one else can be and are better qualified than any one else to make up the year's budget. Their bills all go through the office of the Secretary of State, and they print annually for general distribution a complete statement of all the University's financial transactions.

TAX BURDEN WILL NOT BE HEAVY.

If the appropriation bill becomes a law the amount of taxes required to support the University will be less than twenty-five cents per year for every one thousand dollars' worth of property and will grow less as the value of the property in the State increases. The man who pays taxes on \$500 worth of property will pay twelve and one-half cents, per year, for the support of the University. The man who pays taxes on \$4,000 worth will pay one dollar. Are such amounts excessive, when it is proposed to build up an institution where the sons and daughters of our common people can receive the education which the times demand?

AN APPEAL TO VOTERS.

The Alumni of the University, in issuing this statement, have no interest to serve but that of Oregon. They believe that the young men and women of Oregon deserve educational advantages as good as those enjoyed by the young men and women of other States. In full faith in the intelligence and fairness of the voters of Oregon, they earnestly appeal to their loyalty to the cause of education for a careful and friendly consideration of the University's needs, and a conclusive majority in favor of its adequate support.

C. N. McARTHUR,
ALLEN H. EATON,
L. R. ALDERMAN,
HOMER I. KEENEY,
HOMER D. ANGELL.

(Endorsed)—

Filed February 1, 1908.

F. W. BENSON, Secretary of State.

ARGUMENT

(negative)

SUBMITTED BY

EUGENE PALMER and CYRUS H. WALKER,
Special Committee of Linn County Council, Patrons of Husbandry,
opposing the measure designated on the official ballot as follows:

REFERENDUM ORDERED BY PETITION OF THE PEOPLE

An act to amend section 3529 of Bellinger & Cotton's
Annotated Codes and Statutes of Oregon by increas-
ing the annual appropriation for the support and
maintenance of the University of Oregon.

Vote YES or NO.

314. Yes.

315. No.

ARGUMENT

*Presented by Linn County Council, Patrons of Husbandry, opposing the
adoption of House Bill No. 37, increasing the appropriation from
\$47,500.00 to \$125,000.00 annually and perpetually for the University
of Oregon.*

EUGENE PALMER and CYRUS H. WALKER, Special Committee.

**THE PEOPLE SHOULD VOTE "No" ON THIS BILL FOR THE FOLLOWING
REASONS:**

1. The University claims an increase of 23 per cent in students, yet asks an increase in appropriation to nearly 300 per cent.

2. This bill was vetoed by the Governor on the ground that it was an excessive increase in the appropriation. The pretended tables set out in the argument of the Alumni are incorrect in important particulars, and contradict the report of President Campbell, which shows but 399 students enrolled in the University course. In figuring the cost of education at Eugene per capita, they claim 600 students, and omit to show that 200 students in the law and medical departments at Portland only receive \$1,600.00 out of the appropriation. They also omit from the tables the fact that the University receives \$12,000.00 from interest-bearing funds and registration fees. Figuring upon this basis, adding the \$12,000.00, deducting \$1,600.00 for Law and Medicine, and dividing by 399 students at Eugene, their "Table 1" would show \$229.00 cost per year for each

student instead of \$133.00 as they claim, and "Table 2" would show \$339.00 cost for each student, instead of \$208.00 as they claim.

3. They argue that "new settlers" will be deterred from coming to Oregon if this appropriation be defeated. New settlers will be encouraged to come to Oregon when they learn that the appropriation was defeated because excessive.

4. If this appropriation be defeated the University will not suffer. It will, according to its own statement, still have \$60,000.00 per year, or \$150.00 per student, against a little over \$8.00 per pupil in the common schools. If more is needed for new buildings, etc., the next Legislature can supply such additional funds as may be proper and not extravagant.

5. The University is not poor. Its students are not poor. They recently employed a man to coach their football team, paying him \$1,500.00 for a little more than two months "instruction," and boasted in the Portland papers that it was the largest salary ever paid in the Northwest to a football coach.

6. The University has 35 instructors for 399 students, an average of one instructor for 11 students. If the appropriation be nearly trebled, how many students will each professor then teach?

7. Before the University appropriation is increased, there should be legislation fixing the courses of study in the Agricultural College and the University, so as to avoid duplication, and requiring each institution to do the work of the greatest value to the State at minimum cost.

8. This bill asks an increase from \$47,500.00 to \$125,000.00 per year. If this enormous increase be granted it will encourage them to ask for still more. It is history that educational institutions in Oregon, as soon as they get one appropriation, hurry back to the next session of the Legislature to ask for another. Their hands are always out.

9. We maintain that the AMERICAN COMMON SCHOOL is the "head" of our educational system, rather than the University of Oregon. We hold that it is much more important to provide better common and high schools, available to all the youth of the State, than to grant the unreasonable demands of the State University, the direct benefits of which do not reach one-tenth of one per cent of the people of the State. Less than five per cent of the pupils of the United States receive a university education; less than eight per cent pass beyond the common school course. In a great many outlying school districts in Oregon there is not more than four months public school each year, because of lack of money to pay teachers, and teachers are scarce because poorly paid. The University professor is paid \$2,000.00 per year, and the buildings are provided at State expense, while the school district must tax itself to provide school buildings. The State money available for each pupil in the common school is little more than \$8.00 per year. In this bill the University asks \$339.00 a year per student.

10. The University has shown bad faith in pushing this bill. They do not clearly specify the purposes of the appropriation. They have twice appealed to the courts upon technicalities—once to prevent the submis-

sion of the bill to the people, in which they were defeated in the Supreme Court, and again to prevent a plain statement of fact in the ballot title. They now file an argument which is fallacious and misleading. It states that the maintenance per year for the University of Idaho is \$71,150.00, but fails to explain that the appropriation is for a State University and Agricultural College combined. In the statement that Washington appropriated \$600,000.00 for new buildings, they omit to state that these buildings are for the Yukon Fair, to be afterwards turned over to the University. A university supported by the people ought to set an example of fairness, and by example, as well as precept, teach civic honesty.

11. Too much of the mechanical and technical engineering of the Agricultural College is being duplicated at the State University. It will cost \$150,000.00 to completely equip this department. There is no common sense reason why the State should maintain two costly plants for this special work in the western part of the State, and less than fifty miles apart. Fully 25 per cent of the students at the University are engaged in this duplicate work.

12. They built a girls' dormitory in 1906 at a cost of \$5,000.00 and now ask for another at a cost of \$40,000.00. They announce their intention of buying 20 acres of land at \$25,000.00, or \$1,250.00 per acre. University professors on large salaries get extravagant ideas.

13. Very many people believe that those few who receive university educations should pay, at least in part, for it; for they who have relied on the State for education, and indirectly for support, up to manhood and womanhood, will be very much disposed to lean on the State all their lives. Upon this theory a tuition fee is charged at the Universities of Minnesota, Michigan, Pennsylvania, and other best known State universities. The largest tuition charges at any independent college in Oregon is \$51.00. The salaries of teachers are about 50 per cent greater at the University of Oregon than at the independent colleges. The classes at the independent colleges are much larger, each teacher handling about double the number of students. Regardless of the tuition charged, there are 265 students enrolled at Pacific University, 175 at McMinnville College, 342 at Willamette University, and more than 100 at Albany College, as well as large enrollments at Columbia University, Mount Angel College, Pacific College at Newberg, Philomath College, Dallas College and others, estimated at more than four times the enrollment at the State University. Expenses to students at these colleges, including tuition, do not exceed the expenses at the University of Oregon. Incidentally, in the competition of 1907 for the Rhodes scholarship, a student of one of the above independent colleges defeated the students of the University of Oregon, and won the prize. It is also a fact that eight States in the Union (including New York and New Jersey) have no State universities. Oregon, with two exceptions, has more normal schools in proportion to population, than any State in the Union. These facts seem to refute the assertion that Oregon is not keeping pace with other States in higher education.

14. The school influence controlled the organization of the Legislature for 1907 so completely as to have a clear majority in the Ways and Means Committees and the Committees on Education in both houses. These committees approved everything asked for State schools and recommended the passage of appropriations amounting to more than \$800,000.00. These proposed appropriations were reduced about \$200,000.00 by the Legislature, but no reduction was made on the amount for the State University while appropriations for all other State schools were scaled down. The school influence has dominated and controlled all recent sessions of the Legislature. It has been so strong that all political parties have been subservient to it, and little legislation has been accomplished except by its consent; and the price of its consent has been these extravagant appropriations for State schools.

If this bill be allowed to pass, the University will use the fact as a club in demanding further appropriations from future legislatures. If, on the other hand, the bill be defeated, the people will thereby express a protest against extravagance, and only reasonable appropriations will be made hereafter.

Relying upon the intelligence, integrity and good judgment of the common people of Oregon, we most respectfully submit our cause, with full confidence that they will reject this measure at the coming June election by voting "No."

EUGENE PALMER,
CYRUS H. WALKER,

Special Committee of Linn County Council, Patrons of Husbandry.

(Endorsed) —

Filed February 24, 1908.

F. W. BENSON, Secretary of State.

AN AMENDMENT

TO THE

CONSTITUTION OF THE STATE OF OREGON

TO BE SUBMITTED TO THE LEGAL ELECTORS OF THE STATE OF
OREGON FOR THEIR APPROVAL OR REJECTION

AT THE

REGULAR GENERAL ELECTION

TO BE HELD

ON THE FIRST DAY OF JUNE, 1908,

TO AMEND

SECTION 2 OF ARTICLE II

By initiative petition filed in the office of the Secretary of State, January
15, 1908, in accordance with the provisions of Chapter
226, General Laws of Oregon, 1907.

Printed in pursuance of Section 8 of Chapter 226, Laws of 1907.
Secretary of State.

The following is the form and number in which the question will be
printed on the official ballot:

PROPOSED BY INITIATIVE PETITION

For equal suffrage constitutional amendment, per-
mitting women to vote on equal terms with men. Vote YES or NO.

316. Yes.

317. No.

[On Official Ballot, Nos. 316 and 317.]

WOMAN SUFFRAGE AMENDMENT.

Section 2 of Article II of the Constitution of the State of Oregon shall be and hereby is amended to read as follows:

Section 2. In all elections not otherwise provided for by this Constitution, every citizen of the United States, of the age of twenty-one years and upwards, who shall have resided in the State during the six months immediately preceding such election, and every person of foreign birth of the age of twenty-one years and upwards, who shall have resided in this State during the six months immediately preceding such election, and shall have declared his intention to become a citizen of the United States one year preceding such election, conformably to the laws of the United States on the subject of naturalization, shall be entitled to vote at all elections authorized by law; it is expressly provided hereby that no one shall be denied the right to vote on account of sex.

ARGUMENT

(affirmative)

SUBMITTED BY

THE OREGON STATE EQUAL SUFFRAGE ASSOCIATION

in favor of the measure designated on the official ballot, as follows:

PROPOSED BY INITIATIVE PETITION

For equal suffrage constitutional amendment, permitting women to vote on equal terms with men. Vote YES or NO.

316. Yes.

317. No.

AN OPEN LETTER.

To Every Liberty-Loving Voter of Oregon, Greeting:

The undersigned, representing, as we believe, the large majority of the women of Oregon, are happy to embrace this opportunity, accorded to us through your initiative petitions, to lay before you a few of our many reasons for believing you will be as proud to extend to us, at the coming June election, your courteous invitation to join you in full and free possession of the elective franchise, as were the gallant men of Wyoming, Colorado, Idaho and Utah, who bestowed full rights of citizenship, almost without solicitation, upon every law-abiding woman within their borders.

This movement, which began in Oregon in 1871, grew so rapidly, under guidance of pioneer men and women and public-spirited law-makers, that the Legislative Assembly enacted, in autumn of 1872, a married woman's sole trader bill, enabling a wife to hold her own earnings, if necessary, as her own property, by registering her intention with the county court. Stimulated by this small beginning, the growth of public sentiment in favor of equal property rights for women has placed Oregon women far in advance, as self-earning property-holders, of women of any other State in the Union, except the four States wherein they already vote.

But, although we are taxpayers, we are not yet full-fledged voters. This handicap brings the wage earnings of women into ruinous competition with wage-earning voters, and is a disability from which we believe you will be glad to relieve us by your votes next June, in the interest of both halves of the people.

This movement grew from the small beginning in 1872, above noted, until the year 1884, when your representatives submitted for us, by legislative enactment, a constitutional amendment at the State election of that year, which brought us 11,223 votes. Our proposed amendment was again submitted to a vote of one-half of the people in the year 1900, and the "yes" vote had by that time grown to 26,265. The amendment was again submitted (always by men) in 1906, and the "yes" vote rose to 36,902.

For causes that are wholly eliminated from the present campaign

(and we hope from all future State campaigns for equal rights, and, therefore, need not be explained in this letter) the "no" vote of 1906 was for the first time proportionately increased, but the readiness with which men have responded with their signatures to the large initiative petitions, through which you have reopened our case, is an assurance to us of your success in our behalf at the June election of 1908, for which we are patriotically expectant and profoundly grateful in advance.

If any of you say you are weary of this agitation, we answer in all seriousness, so are we. So weary are we that we believe you will, in mercy, not compel us to repeat this struggle in the year 1910, as we surely must if you fail us this time.

If there shall yet remain a few women who should attempt to repeat their former protest in this pamphlet against equal rights for other women, of which they are unable or unwilling, from their viewpoint, to see the need, we trust your practical good sense to prove to them through your affirmative votes in our behalf that our enfranchisement, while enlarging *our* opportunities, will in no way encroach upon their rights or liberties.

If any man objects to extending to his wife and mother the power of the ballot from the fear that if they become his equals they will neglect or forsake the home, we shall depend upon you to divert his mind from such a fallacy, by recalling the fact that the home instinct is inherent in woman, and cannot be created or destroyed by laws of men's or women's making. If he does not know, of his own accord, that there are many hundreds of men and women in Oregon, who could not have the semblance of a home to keep, under present industrial conditions, if women did not go outside to earn or help to earn the means to rent or support a home in ruinous competition with balloted men, just let him alone; his delusion is chronic, and he is past recovery.

This movement for the enfranchisement of your closest friends, the mother-half of the people of Oregon, is wholly non-partisan, non-sectarian and non-political. We are not seeking to make laws to govern men. We believe as implicitly in men's fundamental right to self-government as in our own, and we are awaiting your invitation, through the ballot box, to the possession of our inalienable right to equality with you before the law, which we prize for the same reasons that you prize it, and we believe it will be a pleasure to you to bestow it upon us exactly as it would be our pleasure to extend it to you under reversed conditions.

ABIGAIL SCOTT DUNIWAY,

President Oregon State Equal Suffrage Association.

MRS. HENRY WALDO COE, Honorary President.

MRS. ELIZABETH LORD, Vice-President.

MRS. C. M. CARTWRIGHT, Second Vice-President.

SARAH A. EVANS, Member of National Exec. Comm.

MISS ELMA BUCKMAN, Recording Secretary.

MRS. W. E. POTTER, Treasurer.

MRS. A. BONHAM, Financial Secretary.

MYRTLE E. PEASE, Corresponding Secretary.

MRS. ELIZABETH EGGERT, First Auditor.

MARTHA DALTON, Second Auditor.

MRS. IMOGENE BATH, Third Auditor.

LIST OF VICE-PRESIDENTS BY COUNTIES.

Baker, Mrs. Harvey K. Brown; Benton, Prof. Helen Crawford; Clackamas, Mrs. Eva Emery Dye; Clatsop, Mrs. J. H. Trullinger; Columbia,

Mrs. E. H. Flagg; Coos, Mrs. Henry Sengstacken; Crook, Mrs. Ada Millican; Curry, Mrs. H. A. Stewart; Douglas, Mrs. Ida Marsters; Gilliam, Mrs. Clay Clark; Grant, Mrs. Ida Niven; Harney, Mrs. Frank Davey; Jackson, Mrs. Hattie S. Day; Josephine, Mrs. L. L. Mangum; Klamath, Mrs. O. C. Applegate; Lake, Mrs. C. U. Snider; Lane, Mrs. Minnie Washburne; Lincoln, Mrs. R. A. Bensell; Linn, Dr. Anna B. Reed; Malheur, Miss Tina Chambers; Marion, Mrs. Clara H. Waldo; Morrow, Mrs. Florence Whitehead; Multnomah, Mrs. C. M. Cartwright; Polk, Mrs. Walter L. Toozee; Sherman, Mrs. Ella Slayback; Tillamook, Mrs. Emma Morrison; Umatilla, Mrs. S. A. Lowell; Union, Mrs. Minerva B. Eaton; Wallowa, Mrs. Elizabeth Oakes; Wasco, Mrs. Elizabeth Lord; Washington, Mrs. Imogene Bath; Yamhill, Mrs. Emma Galloway; Wheeler, Mrs. J. S. Stewart.

IN BEHALF OF EQUAL SUFFRAGE AMENDMENT.



No reason can be given for man suffrage that cannot be urged with equal force in favor of woman suffrage.—*The late U. S. Senator J. N. Dolph.*

I have nothing but words of commendation and praise for equal suffrage, and will gladly welcome the day when women are permitted to vote in all of the different States and territories, and at all elections.—*Governor Frank R. Gooding of Idaho.*



I hope that this State will give women the ballot, and I hope that every State will do it.—*Geo. E. Chamberlain, Governor of Oregon.*

Bad women do not exert an appreciable influence in politics. The fact that women vote in Wyoming does not interfere in any way with home duties, nor with the pleasant relationships of family life.—*Bryant E. Brooks, Governor of Wyoming.*



The salvation of this Republic depends upon the enfranchisement of its mothers.—*The late W. S. Ladd.*

This demand for the enfranchisement of women is right. It is just. No man has any right to vote against it.—*Jefferson Myers.*

I believe the enfranchisement of women will elevate the standard of citizenship.—*Colonel R. A. Miller.*



I am naturally conservative, but I advocate woman suffrage because it is right.—*The late Solomon Hirsch.*

One of the great advantages which has come to us from woman suffrage is the fear on the part of the machine politicians to nominate for public office men of immoral character, or to defeat those who have maintained a reputation for honesty and decency.—*Judge B. F. Lindsay of Colorado.*

I go for all sharing the privileges of the government who assist in bearing its burdens, BY NO MEANS EXCLUDING WOMEN. *Abraham Lincoln.*



Over and above all, suffrage is the woman's right, and no fair, just man will deny her that right. While we may defend equal suffrage upon the ground of expediency, it is not a question of expediency, but of justice.—*Ex-Governor Alva Adams of Colorado.*



I do not in the least believe in the patient Griselda type of woman. * * * I believe in the woman's keeping her self-respect, just as I believe in the man's doing so. I believe in her rights just as much as I believe in the man's and, indeed, a little more. * * * No family can become all it should be if the mother does not keep in touch sufficiently with outside interests and what is going on in the world to become an intellectual stimulus to her children.—*Theodore Roosevelt.*



I look for and earnestly desire the enfranchisement of the women of Oregon at the June election of 1908.—*U. S. Senator Jonathan Bourne.*

The fact is, and can readily be verified, that the advent of women into the political arena has had the effect of raising the moral standard to a much higher degree than it was before.—*Governor Jesse T. McDonald of Colorado.*



The moral delinquencies from which many men suffer may be traced to the disfranchisement and consequent moral irresponsibility of mothers.—*The late U. S. Senator John H. Mitchell.*



Utah has been an equal suffrage State ever since statehood was granted, and my observation has led me to believe that the results of giving the franchise to the women have been beneficial.—*Governor John C. Cutler.*

I have always assisted the women of Oregon in their efforts to secure the ballot. Of course women should vote.—*U. S. Senator C. W. Fulton.*



The right of suffrage should be denied to no citizen, save as punishment for crime. * * * I favor equal suffrage, not only as a matter of justice, but as a moral and educational force in the nation.—*Willis S. Duniway.*

I congratulate the women of Oregon, and anticipate success for them in the present equal suffrage campaign.—*John Barrett, President of Bureau of South American Republics.*



Every man ought to be ashamed to oppose equal rights with himself for his wife and mother at the ballot box or anywhere else.—*Dr. Henry Waldo Coe.*

(Endorsed) —

Filed February 3, 1908.

F. W. BENSON, Secretary of State.

ARGUMENT

(negative)

SUBMITTED BY

THE OREGON STATE ASSOCIATION OPPOSED TO THE
EXTENSION OF THE SUFFRAGE TO WOMEN,

opposing the measure designated on the official ballot as follows:

PROPOSED BY INITIATIVE PETITION

For equal suffrage constitutional amendment, permitting women to vote on equal terms with men. Vote YES or NO.

316. Yes.

317. No.

AN APPEAL TO VOTERS.

Shall I vote to give the ballot to every woman in Oregon?

Three times that question has come before you. Three times you have answered "no." Only two years ago you said "no" by a majority of 10,173 votes, and yet once again it is forced upon you.

After so large and decisive a vote against woman suffrage, the State might be supposed to have expressed its opinion with sufficient force so that it might stand for a few years as the will of the people, but the suffragists are once more active. Two years ago a blatant campaign was waged, supported by thousands of dollars from the National Suffrage Association and engineered by professional agitators from all over the country. This time the attack upon the home women of Oregon is being made in a different way. As the initiative and referendum requires only a majority of those voting upon a subject to make it a law, the suffragists are hoping to steal a march upon their opponents and so win by stealth when noise did not avail. But the clamor of two years ago, the suffragette riots in England, and the recent turbulent performances in New York are too clear in the minds of all to make the present tactics deceptive, and we who oppose the movement in Oregon beg you to vote against it.

We asked you before to represent the opinions of the women you know and respect. Your action justified our belief in the conservative thoughtfulness of Oregon women. We are forced once more to appeal to you to protect us from this burden which we believe would be not a benefit but an affliction both to woman and to the State.

WE, AMERICAN WOMEN, CITIZENS OF THE STATE OF OREGON, protest

against the proposal to impose the obligation of suffrage upon the women of this State, for the following, among other, reasons:

1. Because suffrage is to be regarded not as a privilege to be enjoyed, but as a duty to be performed.
2. Because hitherto the women of this State have enjoyed exemption from this burdensome duty, and no adequate reason has been assigned for depriving them of that immunity.
3. Because conferring suffrage upon the women who claim it would impose suffrage upon the many women who neither desire it as a privilege nor regard it their duty to seek it.
4. Because the need of America is not an increased quantity, but an improved quality of the vote, and there is no adequate reason to believe that woman's suffrage by doubling the vote will improve its quality.
5. Because the household, not the individual, is the unit of the State, and the vast majority of women are represented by household suffrage.
6. Because the women not so represented suffer no practical injustice which giving the suffrage will remedy.
7. Because equality in character does not imply similarity in function, and the duties and life of men and women are divinely ordered to be different in the State, as in the home.
8. Because the energies of women are engrossed by their present duties and interests, from which men cannot relieve them, and it is better for the community that they devote their energies to the more efficient performance of their present work than divert them to new fields of activity.
9. Because political equality will deprive woman of special privileges hitherto accorded her by the law.
10. Because suffrage logically involves the holding of public office, including jury duty, and office-holding is inconsistent with the duties of most women.

OREGON STATE ASSOCIATION OPPOSED TO THE
EXTENSION OF THE SUFFRAGE TO WOMEN.

Mrs. R. W. WILBUR, Portland	Mrs. F. M. WILKINS, Eugene
Miss ELEANOR E. GILE, Portland	Mrs. THOMAS THOMPSON,
Mrs. F. M. WARREN, Portland	Pendleton
Mrs. A. E. ROCKEY, Portland	Mrs. J. N. LANE, Pendleton
Mrs. HERBERT HOLMAN, Portland	Mrs. E. L. MARSHALL, Pendleton
Mrs. ELIZABETH B. HAMILTON,	Mrs. R. E. NORTON, Pendleton
Portland	Mrs. F. J. BAILEY, Hillsboro
Mrs. PERRY H. RAYMOND, Salem	Mrs. W. R. YOCKEY, Ashland
Mrs. THOMAS COATES, Tillamook	Mrs. GEORGE FLAVEL, Astoria
Mrs. J. H. TEMPLETON, Prineville	Mrs. F. E. HARLOW, Troutdale
Mrs. W. A. HOWE, Carlton	Mrs. L. GERLINGER, Dallas.

(Endorsed)—

Filed February 24, 1908.

F. W. BENSON, Secretary of State.

A BILL

**TO BE SUBMITTED TO THE LEGAL ELECTORS OF THE STATE OF
OREGON FOR THEIR APPROVAL OR REJECTION**

AT THE

REGULAR GENERAL ELECTION

TO BE HELD

ON THE FIRST DAY OF JUNE, 1908,

To propose by initiative petition a law to protect salmon and sturgeon in the waters of the Columbia River and its tributaries, and in the Sandy River, within the boundaries of the State of Oregon, and in all waters over which the State of Oregon has jurisdiction, and prescribing a penalty for a violation of the law.

By initiative petition filed in the office of the Secretary of State, January 27, 1908, in accordance with the provisions of Chapter 226, General Laws of Oregon, 1907.

Printed in pursuance of Section 8 of Chapter 226, Laws of 1907.
Secretary of State.

The following is the form and number in which the question will be printed on the official ballot:

PROPOSED BY INITIATIVE PETITION

For an act prohibiting fishing for salmon or sturgeon on Sunday from January first to October first, also in the Columbia River only from October first to December thirty-first, also in the navigable channels of Columbia River at night, also at any time in Sandy River and in Columbia River west of west line of range nine west, near Astoria, and east of west line of range sixteen east, near Celilo, and limiting seines anywhere in the State to one hundred and fifty fathoms long and four and one-sixth fathoms deep, and providing penalties.

Vote YES or NO.

318. Yes.

319. No.

[On Official Ballot, Nos. 318 and 319.]

A BILL

To propose by initiative petition a law to protect salmon and sturgeon in the waters of the Columbia River and its tributaries, and in the Sandy River, within the boundaries of the State of Oregon, and in all waters over which the State of Oregon has jurisdiction, and prescribing a penalty for a violation of the law.

Be it enacted by the people of the State of Oregon:

Section 1. That from and after September 10, 1908, it shall be unlawful for any person or persons to cast, drift or haul any net, seine or other device to catch, fish for, or pursue salmon or sturgeon in any of the channels used for commercial navigation by licensed vessels in the Columbia River, within the boundaries of the State of Oregon, or in any of such waters over which the State of Oregon has jurisdiction, between one hour after sunset of any day, and one hour before sunrise of the following day.

Section 2. That from and after September 10, 1908, it shall be unlawful to take, catch, fish for, or pursue salmon or sturgeon in the waters of the Columbia River within the boundaries of the State of Oregon, or in any of said waters over which the State of Oregon has jurisdiction, between the first day of October and the thirty-first day of December of each year.

Section 3. That from and after September 10, 1908, it shall be unlawful to take, catch, fish for, or pursue salmon or sturgeon in any of the waters of the Sandy River above its mouth, or in any portion of the Columbia River within the boundaries of the State of Oregon, or in any portion of said Columbia River over which the State of Oregon has jurisdiction, except that portion of such Columbia River lying between the west boundary or the northerly prolongation thereof of Township eight (8) north, Range nine (9) west, of the Willamette Meridian, and the west boundary or the northerly prolongation thereof of Township two (2) north, Range sixteen (16) east, of the Willamette Meridian.

Section 4. That from and after September 10, 1908, it shall be unlawful in the waters of the Columbia River, within the boundaries of the State of Oregon, or any other waters of the State of Oregon, or in any other waters over which the State of Oregon has jurisdiction, to use or employ, for the purpose of taking, catching or pursuing salmon or sturgeon, any seine, drift net or other net or device of greater length than one hundred and fifty (150) fathoms or of greater depth than four and one-sixth (4 1-6) fathoms.

Section 5. That from and after September 10, 1908, it shall be unlawful to take, catch, fish for, or pursue salmon or sturgeon in the Columbia River within the boundaries of the State of Oregon, or in any other waters in the State of Oregon or over which the State of Oregon has

jurisdiction, between the hours of six o'clock P. M. of Saturday and six o'clock P. M. of Sunday from January 1st to October 1st next following of each year.

Section 6. Wherever the word "salmon" is used in this law, the same shall be deemed and held to include Chinook, Steelheads, Bluebacks, Silversides and all other anadromous species of salmon.

Section 7. Wherever the words "person" or "persons" are used in this act, they shall be deemed to include not only individuals, but firms, companies and corporations of every kind, character and description.

Section 8. That every person, firm, company or corporation violating any provision of this law shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than Fifty Dollars nor more than Five Hundred Dollars, or by imprisonment in the county jail for not less than twenty days, nor more than two hundred days, or by both such fine and imprisonment.

Section 9. All acts and parts of acts in conflict herewith are hereby repealed.

ARGUMENT

(affirmative)

SUBMITTED BY

H. A. WEBSTER, formerly Deputy Fish Warden, State of Oregon,
in favor of the measure designated on the official ballot, as follows:

PROPOSED BY INITIATIVE PETITION

For an act prohibiting fishing for salmon or sturgeon on Sunday from January first to October first, also in the Columbia River only from October first to December thirty-first, also in the navigable channels of Columbia River at night, also at any time in Sandy River and in Columbia River west of west line of range nine west, near Astoria, and east of west line of range sixteen east, near Celilo, and limiting seines anywhere in the State to one hundred and fifty fathoms long and four and one-sixth fathoms deep, and providing penalties.

Vote YES or NO.

318. Yes.

319. No.

A BILL

To propose by initiative petition a law to protect salmon and sturgeon in the waters of the Columbia River and its tributaries, and in the Sandy River, within the boundaries of the State of Oregon, and in all waters over which the State of Oregon has jurisdiction, and prescribing a penalty for a violation of the law. Filed January 27th, 1908, by Mr. H. A. Webster.

"CANNED FISH WON'T SPAWN.

"Every salmon would not satisfy the greed that pursues them. Some fish must escape if any new ones are to take the place of those in cans.

"THE GRAB MUST CEASE,

else by and by it will destroy the salmon. The tale of the goose and the golden egg is the point."—*Oregonian*.

In offering this bill to the people of the State of Oregon the author (for many years officially connected with the fisheries department of this

State) has striven to embody the results of his investigations and the recommendations of the most eminent authorities in the country.

The object of the proposed law is to replete a dwindling industry by checking the destruction of salmon, wrought by the various appliances. This bill will place limits on all classes of fishing gear without discriminating for or against any. Commercial greed has brought the noble Chinook, worth millions to our State, to deplorable plight. So many fish are caught that not enough now escape for purpose of propagation; the hatcheries, paid for at big expense by taxpayers, are in some places closed and in others almost idle. Meanwhile the industry wanes. At present, there is practically no protection under the law; the closed Sunday has been abolished and the open season lengthened again and again, until now salmon are caught just as long as the fishermen desire to take them. These conditions are self-evident; authorities are agreed; the decline would prove it were there any dispute. The situation is best expressed by that great authority, Dr. Livingston Stone, U. S. Department of Fisheries, who says:

"Consider for a moment what the salmon has done for us, and then think how mercilessly we have treated him. Our salmon has been to us a source of national revenue, enjoyment, and pride, and what return have we meted out to him? He has been hunted pitilessly with hooks and spears, with all kinds of nets and pounds, with wheels and guns and dynamite, and there is not a cubic foot of water in the whole country where he can rest in safety. The moment he comes in from the ocean he meets the gill nets and the pounds at the mouth of the river, the sweep seines further up, the hook everywhere, and at last on his breeding-grounds, which at least ought to be sacred to him, he encounters the pitchforks of the white man and the spears of the Indian."

Relief must now be prompt if we would have a worthy inheritance to bequeath to our children.

The purposes of the bill are five in number and five only.

First: Prohibit fishing on the Columbia River bar in order to allow unobstructed entrance of salmon to the river. (Section 3.)

Second: Restrict size of all kinds of gear so as to diminish their destructiveness. (Section 4.)

Third: Keep navigation channels in the Columbia River open at night, so as to afford fish a four to six-hour respite, every twenty-four hours, in this immediate narrow strip of a wide river. (Section 1.)

Fourth: Lengthen closed seasons on the Columbia River so as to allow more fish to reach hatcheries. (Section 2.)

Fifth: Establish closed Sundays so as to save one-seventh of the salmon supply for propagation. (Section 5.)

BAR FISHING ON THE COLUMBIA RIVER.

Common sense would not prompt you to drive cattle through a closed gate. Section 3 of this bill aims to open the gate or at least to leave it somewhat ajar. Bar fishing at the mouth of the Columbia is one of the greatest menaces imaginable to the perpetuity of the fishing industry,

to say nothing of involving a needless loss of life. By it fish are kept in the open sea long after the time appointed by nature for their entrance to fresh water. A few quotations should convince:

"Bar net fishing should be prohibited below a line inside and near the mouth of the river. The prevention of gill-net fishing near and on the bar would result in a saving of life. Some twenty to sixty fishermen are drowned there each year."—Chas. F. Powell, Captain of Engineers, 1887.

"A restriction should be placed upon fishing too close to the entrance from the sea. The fish should be allowed to get well inside before attacking them."—Major Jones' Report to War Department, 1887.

"I think it is essential for the welfare of this industry, that no fishing be allowed at or near the mouth of the river, and the salmon be given all the opportunity possible of getting into the river before it is lawful to take them."—Oregon Fish Commissioner, 1905.

"I am also of the opinion that fishing should be prohibited below Sand Island at all times."—Senator Chas. W. Fulton, January, 1907.

RESTRICT GEAR.

Shorten the lengths of all fishing gear. Marshall McDonald, U. S. Fish Commissioner, 1894, says: "It is indeed a matter of surprise that any salmon have been able to elude the labyrinth of nets which bar their course to the upper Columbia. It is hardly an exaggeration to state that the entire volume of this great river is strained through the meshes of the innumerable nets which occupy and obstruct every passageway to the spawning-grounds."

The Washington Special Committee, 1899, says: "Nets must be regulated."

The Joint International Committee, Washington and British Columbia, agree that 150 fathoms should be the extreme length.

The U. S. Fish Commissioner, in a letter to Secretary Strauss, written January 10th, 1907, says: "No one familiar with the situation can fail to appreciate the menace to the perpetuity of the industry that is furnished by the concentration of a tremendous amount of fixed and floating apparatus of capture in and near the mouth of the river. This apparatus comprises about 400 pound nets or traps, over eighty long sweep seines, and more than 2,200 gill nets, the last having an aggregate approximate length of over 570 miles."

Digest these recommendations and then go measure off 150 fathoms, 900 feet, four and one-half city blocks, and twenty-five feet deep. Does that seem long enough to allow? Perhaps when you figure that after all gear is limited as proposed and you realize that over 470 miles of it is still left, you will agree that the request is not unreasonable.

CHANNEL FISHING ON THE COLUMBIA RIVER.

In a river varying in width from one to eleven miles, the reservation of a channel from one hundred to four hundred feet wide, from one hour after sunset to one hour before sunrise, is asked. When there is such a wide expanse of river remaining, is this narrow strip too much to ask either for the preservation of the fish or for the still more paramount

safety to navigation? If you don't care a rap for the fish, would it not be well to relieve the lives and property, constantly afloat, from the chances of delay and destruction offered by the nightly invasion of navigation courses by miles of fishing gear? Refer to the Report of Capt. Chas. Powell, U. S. Engineers; read what the Special Senate Committee, State of Washington, 1899, says, or look over the complaints of ship-masters whose pilot-houses bear the marks of intimidating bullets fired by fishermen occupying the channels, or ask the captains whose vessels have drifted helpless for hours with nets in their wheels. Bear in mind, however, that the purpose of this bill is the protection of salmon by keeping this very narrow channel open for free passage of salmon between four and six hours in every twenty-four. Many salmon will then escape appliances, which if operating without cessation, would catch them. This will increase the number of salmon reaching the hatcheries and enable the plants now idle to resume propagation. The proposed law will not restrict channel fishing in daylight; the restriction applies to the night period because navigation interests will be conserved at the same time. The War Department now has the matter under investigation. Reasonable action must be taken by the State or extreme action will likely be taken by the National Government.

CLOSE SEASONS ON THE COLUMBIA RIVER.

A close season from October 1st to December 31st of each year is desired. This is the main breeding season of our salmon. Our State allows game a respite from pursuit in which they can rear their young; should not our salmon have an equal chance? If you have doubts refer to the recommendations of any of the following authorities:

"Close seasons should be extended."—Oregon Special Legislative Committee, 1889.

"Contraction of open season for salmon and enforcement of Sunday Law."—Report Commissioner McGuire, 1897-8.

"Open seasons should be contracted."—Report Oregon Commissioner, 1901.

"Shorten open season."—Fish Commissioner, Washington, 1906.

"Failure of salmon to appear on spawning beds due to lack close season."—C. Wallich, U. S. Fish Commissioner, 1905.

"Shortening open season."—Joint Committee, Oregon and Washington, 1907.

"Provide adequate close seasons."—U. S. Bureau Fisheries, 1907.

And after reading decide. You accord all other animals relief at this most important time of life, why then not the salmon?

SUNDAY CLOSE SEASON.

This section hardly needs argument. After relentless pursuit for six days, surely salmon should be allowed one day of free passage to the spawning grounds. Saturday 6 P. M. to Sunday 6 P. M. This means that for twenty-four hours each week, one-seventh of all the time, all gear at

every point is absolutely out of the way and free and unrestricted passage allowed. Authorities are so unanimous on this subject that reference only need be given to—

Major Jones' Report to Secretary of War, 1887.

Report Oregon Special Committee, 1889.

Report U. S. Commissioner McDonald, 1894.

Report Oregon Fish Commissioner, 1901.

International Commission, Washington and British Columbia, 1905.

J. L. Riseland, Fish Commissioner, Washington, 1906.

Report Joint Committee, Oregon and Washington, 1907.

Opinion Superintendent Crawford, Washington, 1907.

Secretary Strauss, U. S. Department Commerce and Labor, 1907.

The author feels that this bill carries nothing unreasonable; it seeks to regulate, not destroy, either industry or property. It places the burdens equally on all classes of gear and all people from one end of the river to the other. When authorities are so unanimous and some even go so far as to advocate an entire cessation of operations for a year or more, the recommendations of this bill will be conceded to be moderate, and I feel that a consideration of its merits will surely win your earnest and hearty approval and support.

Respectfully submitted,

H. A. WEBSTER,

Formerly Deputy Fish Warden, State of Oregon.

(Endorsed)—

Filed February 1, 1908.

F. W. BENSON, Secretary of State.

ARGUMENT

(negative)

SUBMITTED BY

H. M. LORNTSEN,

Secretary Columbia River Salmon Protective Association,
opposing the measure designated on the official ballot as follows:

PROPOSED BY INITIATIVE PETITION

For an act prohibiting fishing for salmon or sturgeon on Sunday from January first to October first, also in the Columbia River only from October first to December thirty-first, also in the navigable channels of Columbia River at night, also at any time in Sandy River and in Columbia River west of west line of range nine west, near Astoria, and east of west line of range sixteen east, near Celilo, and limiting seines anywhere in the State to one hundred and fifty fathoms long and four and one-sixth fathoms deep, and providing penalties.

Vote YES or NO.

318. Yes.

319. No.

ARGUMENT AGAINST INITIATIVE BILL NO. 318.

This bill, while pretending to be for the protection of the salmon of the Columbia, is a bill which the few wealthy fishwheel owners of the upper Columbia are presenting to the voters in an endeavor to retain the unfair and destructive monopoly of catching salmon with fishwheels in the narrows and at the falls of the upper Columbia.

The initiative petitions for this bill were started after the Columbia River Salmon Protective Association was organized for the purpose of stopping fishing for salmon in the Columbia at head of tide; that is, where the river becomes so narrow that the fishwheels catch nearly every salmon that reaches these narrows and falls.

The fishwheel owners, realizing that throughout the State the sentiment for bona fide salmon protective legislation was growing, got up this trick bill for the simple purpose of confusing the voters.

None of the fishwheel owners cared to openly associate their names with this intended imposition upon the people. They evidently could not

get one man of note to father it. So they got as sponsor H. A. Webster, an ex-deputy fish warden who was recently discharged because Governor Chamberlain, Secretary of State Benson and State Treasurer Steel no doubt considered that the fisheries of our State could be better served by a better man.

We deem it necessary for a thorough understanding of this matter to plainly state who and what is behind this trick bill.

It is not difficult for a clever advocate of greed and wrong to so abbreviate quotations from the writings and sayings of authorities on any given subject that the exact opposite apparently stands proven from what the quoted authorities desired to prove. There are unfortunately men who for consideration are as versatile as the fallen angel of whom Milton says, "He could make the worse appear the better reason."

On the other hand, who are the men behind the bill which the fishwheel owner's bill is intended to kill? (According to our law, if there are conflicting bills on any subject, and if such conflicting bills receive the majority vote necessary to carry them, then the bill receiving the highest majority vote becomes law.)

The men who stand for abolition of salmon fishing at head of tide in the Columbia as officers and executive committee of the Columbia River Salmon Protective Association, are as follows: George M. Orton, of Portland, president. He is an ex-member of the Oregon Legislature and manager of the Multnomah Printing Company. The vice-president is Jay Tuttle, M. D., Astoria. He is an ex-State Senator. The treasurer is F. E. Beach, of Portland, wholesale and retail merchant. The secretary is H. M. Lorntsen, Astoria, secretary of the Columbia River Fishermen's Union and second vice-president of the Oregon State Federation of Labor. On the board of directors are: Thomas A. McBride, Oregon City, Circuit Judge; Wm. I. Vawter, member of the Legislature; G. S. Wright, McMinnville, State Senator; Chas. G. Roberts, Tanglewood, Hood River; D. H. Miller, Medford; T. B. Kay, Salem, State Senator; James Withycombe, Corvallis, director of the Oregon Experiment Station and candidate for Governor on the Republican ticket at the last election; James A. Lackey, mayor of Ontario; C. G. Huntley, Oregon City, druggist, member of Oregon Legislature; Wm. Miller, of Burns, attorney at law; John H. Smith, Astoria, attorney at law and ex-State Senator; Frank Kankkonen, Astoria, manager Union Fishermen's Co-operative Packing Company.

James Withycombe, in accepting the position on the board of directors, wrote: "I shall be pleased to accept a place on the board of directors for the movement mentioned, namely, for the protection of the Columbia River salmon. I believe that every honorable means should be employed to protect this great natural source of wealth, not only for the present but for future generations."

Senator G. S. Wright wrote: "Will be glad to do anything for the fishing industry, by serving on the board or otherwise."

William I. Vawter, in accepting, wrote: "It seems to me in every

way commendable and that legislation that is protection along the lines indicated should have the support of every patriotic citizen."

Judge McBride, when asked to serve as president of the association, declined on account of press of business, but readily agreed to serve as a director, adding: "The only way to save our salmon is to stop fishing at head of tide, so as to give the fish a chance to reach our hatcheries and natural spawning grounds. For many years I have fought for the protection of our salmon and am pleased to see this concerted action. My voice and pen will ever be ready to save one of Oregon's greatest industries. I am a poor man, but if necessary I shall contribute my mite towards defraying the expenses to fully present this question to the voters of the State."

Many, many other words of advice and cheer have been given the officers of the association in this task to save our salmon. Necessary limit of space forbids here to quote any more.

Judges, legislators, professional men, scientists, business men and fishermen are represented in this association. Leading citizens of the State, seeing that one of the leading industries of the State is threatened with extinction, have come forward to rescue it.

And opposed to the bill to stop fishing at head of tide, at the confluence of the Columbia River with the Sandy—a bill fathered by these public-spirited citizens—is opposed this sham bill of the fishwheel owners. The fishwheel owners were too cautious—though it is alleged the proper term is "too cowardly"—to father their bill, so they hired a discarded deputy of the State Fishery Bureau to champion a bill which is a trick bill from top to bottom.

Now as to the tricks in that bill.

In the argument supporting the wheel-owners' bill a desire is expressed to save our salmon.

But true to the methods of trickery, section 1—the main section—is not taken up first. Instead, sections 3 and 4 are defended, and section 1—the biggest nigger in this legislative woodpile—is sandwiched in between sections 2 and 5.

That trick, however, is very clumsy and can be easily exposed.

Section 1 of the fishwheel owners' bill provides that no fishing at nights can be carried on in the channels used for commercial navigation.

That means that the four thousand gill-net fishermen of the Columbia, with an investment of about one and half million dollars in boats and nets, must quit the Columbia if the law passes. The fishwheel owners and Webster know this full well, hence they tried to hide this section in their argument, hoping to thus fool the voters of the State.

To explain. Fishwheels or fish traps are located on the banks of the river, or in narrows or at falls, where they presumably do not interfere with navigation. Wheels and traps are stationary appliances and before they can be erected must secure a permit from the War Department, in charge of navigation of our rivers. Thus under this section traps and wheels could fish the entire twenty-four hours. Traps and wheels are

built more or less upon the principle of a cattle corral, the fish striking fences or leads projecting into the river, follow them and are led into the tunnel of the trap and then into the pot, from which they cannot escape. The fence or lead of the fishwheel leads the fish into the mouth of the wheel, when the wheel, ceaselessly turning with the aid of the flowing stream, pumps the salmon into a box, for the owner to take away once in every twenty-four hours.

The gill-nets, however, against which this section is directed, are drifting nets, on a submerged sandbar one moment, in the channel the next. They catch fish by gilling them; that is, the salmon strike the net and put their heads into a mesh, when they cannot retreat, their gills preventing retreat and their bodies being too large to allow them to get through the mesh. Salmon only gill when the water is muddy in freshet time or at nights. When the salmon can see the gill-net they swim around it. A gill-net is only fished at slack tides, on an average six hours out of every twenty-four. A gill-net, further, to be worked properly, must be tanned once a week and dried, which takes from one to two days. Thus a gill-net fishes only from 30 to 36 hours out of the 168 hours of every week, while the traps and wheels, stationary appliances, fish day and night, the entire 168 hours in every week, as long as the fishing season lasts.

Thus this section would drive 4,000 of our gill-net fishermen from their calling, destroy their property, and make in a few years a dozen or so already very rich fishwheel owners manifold millionaires, without protecting our salmon, because the fishwheels in the narrows and at the falls do not permit fish to pass by.

Year by year these wheels have been so located and improved that where only four years ago the Washington and Oregon up-river hatcheries secured some twenty thousand salmon for hatchery purposes, this year but a few hundred were caught. Washington has closed its four up-river hatcheries and Oregon is doing likewise.

The hatcheries below The Dalles, according to official data, are doing fairly well, considering that this was a poor salmon year.

Section 2, prohibiting fishing for salmon between the first day of October and the thirty-first day of December of each year, is absolutely valueless as far as our Royal Chinook salmon are concerned, as this variety almost entirely ceases entering the Columbia the latter part of September, or the middle of October during a late Chinook season. The Blueback salmon, almost absolutely destroyed by the fishwheels, run in June and July. Our Silver salmon enter the river in October, November and December, and if the fishwheels were allowed on the Oregon side, they with their leads would drive in the narrows on the upper Columbia the fish from the Oregon shore to try to find easy ascent close to the Washington shore, where the wheels and seines, owned by the same men who own wheels and seines on the Oregon shore, would catch the fish. This section is rather a clever trick on the part of the fishwheel owners. Fishing for Silver salmon on the Oregon side would be stopped, where the

river is from four to six miles wide and where the fish have a fair show to get by fishing appliances. Then, where they get to the narrows and falls, the places of ascent on the Oregon side would be barred by the leads of the wheels and a rich harvest reaped on the Washington side by the wheel-owners.

The most destructive fishwheels are on the Oregon side of the upper Columbia. Stoppage of fishing from the mouth of the Sandy and up would abolish these wheels. Then Washington would follow with like legislation.

Section 3 provides that all fishing for salmon shall absolutely stop below a line drawn from Smith's Point across the Columbia. That is, fishing with gill-nets must stop from Astoria to the sea, about twelve miles from the bar, where the river is from four to six miles wide; where fishing with these nets only averages from 30 to 36 hours out of the 168 hours in each week; where about 75 per cent of the gill-net fishermen drift with their nets, because in the Columbia from Astoria and up the fishtraps have driven the gill-netters from their old-time drifting grounds. Another trick to give the salmon to the rich trapmen and wheelmen.

Some men, noting that yearly some fishermen were drowned at and outside the mouth of the Columbia, have declared out of misplaced sympathy with the fishermen that gill-net fishing should stop at a line crossing the river at Cape Disappointment. The fishwheel men have in section 3 advanced this line nine miles up the river to Smith Point. The almost absurd trickery here again is plain.

Section 4, by limiting length of nets, is another intended humbug on the voters. The fishwheels could continue serenely as they now are to catch every salmon getting to the upper Columbia and the gill-netters, the poor men, would be so regulated that they would have to quit the Columbia.

Section 5, providing for a weekly 24-hour closed season, would be of value if the fishwheels were abolished. It is the nature of the salmon to travel, once they enter the Columbia, about eight miles in 24 hours, in their effort to reach the spawning grounds, until they reach the narrows and falls. There they rest for several days in pools below the narrows and falls, and after having overcome one set of obstructions, again rest for several days. With the fishwheels stretched out as they are, not one salmon in a thousand reaching the upper river would escape the uppermost wheels. A 24-hour weekly closing law would simply give more fish to the rich fishwheel owners.

It is absolutely necessary for the preservation of our salmon that fishing must stop where the river becomes narrow. Every Nation and State owning salmon streams had to adopt this policy, or see its salmon destroyed. Canada does not permit any stationary fishing appliances in its rivers and draws dead-lines against all fishing away below head of tide. California, Oregon and Washington forbid stationary appliances in their rivers and draw dead-lines against fishing where the rivers become narrow. The Federal Government, through a decision rendered

December last by Secretary of Commerce and Labor Straus, and confirmed by President Roosevelt, has adopted this principle for Alaska.

The only exception to this beneficial legislation is the Columbia River, where the fishwheel owners so far have succeeded in retaining their unfair monopoly.

But these men know this monopoly is doomed; they know that the vote of the people will tell them next June, "Stop destroying our Columbia River salmon industry," and so they got up this so apparent sham bill. Verily, "Whom the gods wish to destroy they first make mad."

Let the fishwheels be abolished by the passage of the bill presented by the Columbia River Salmon Protective Association, and the fishermen will be the first to urge our Legislature to enact a Sunday-closing law, fairer regulation of open and closed seasons, and other laws really protective of the salmon fisheries of the Columbia.

The fishermen possess only their skill as fishermen and their boats and nets. With the destruction of our salmon, their means of earning a living for themselves and their families is destroyed. On the other hand, the dozen rich fishwheel owners own splendid farms and real estate in our cities. They and their children do not depend on the salmon for a living. All these men now care for is to have a few more years of absolute monopoly on that portion of our salmon crop which composes our seed fish.

We therefore ask the voters to vote "No" on the fishwheel owners' bill and to vote "Yes" on the bill which stops fishing at head of tide, at the confluence of the Columbia with the Sandy.

H. M. LORNTSEN,

Secretary Columbia River Salmon Protective Association.

(Endorsed) —

Filed February 24, 1908.

F. W. BENSON, Secretary of State.

A N A M E N D M E N T

TO THE

CONSTITUTION OF THE STATE OF OREGON

TO BE SUBMITTED TO THE LEGAL ELECTORS OF THE STATE OF
OREGON FOR THEIR APPROVAL OR REJECTION

AT THE

REGULAR GENERAL ELECTION

TO BE HELD

ON THE FIRST DAY OF JUNE, 1908,

TO AMEND

SECTION 2 OF ARTICLE XI

By initiative petition filed in the office of the Secretary of State, January
27, 1908, in accordance with the provisions of Chapter
226, General Laws of Oregon, 1907.

Printed in pursuance of Section 8 of Chapter 226, Laws of 1907.
Secretary of State.

The following is the form and number in which the question will be
printed on the official ballot:

PROPOSED BY INITIATIVE PETITION

For constitutional amendment, giving additional and
exclusive power to cities and towns, within their
corporate limits, to license, regulate, control, and
tax, or to suppress or prohibit theaters, race-tracks,
pool-rooms, bowling alleys, billiard halls, and the
sale of liquors, subject to the provisions of the local
option law of the State of Oregon.

Vote YES or NO.

320. Yes.

321. No.

[On Official Ballot, Nos. 320 and 321.]

CONSTITUTIONAL AMENDMENT.

Section 2 of Article XI of the Constitution of the State of Oregon shall be, and the same is, hereby amended to read as follows:

Section 2. Corporations may be formed under general laws, but shall not be created by the Legislative Assembly by special laws. The Legislative Assembly shall not enact, amend or repeal any charter or act of incorporation for any municipality, city or town. The legal voters of every city and town are hereby granted power to enact and amend their municipal charter, and the exclusive power to license, regulate, control and tax, or to suppress or prohibit theaters, race tracks, pool-rooms, bowling alleys, billiard halls, and the sale of liquors, subject to the provisions of the local option law of the State of Oregon within the corporate limits of any municipality, is vested in such municipality.

ARGUMENT

(affirmative)

SUBMITTED BY

DR. J. F. REDDY, of Medford,

in favor of the measure designated on the official ballot, as follows:

PROPOSED BY INITIATIVE PETITION

For constitutional amendment, giving additional and exclusive power to cities and towns, within their corporate limits, to license, regulate, control, and tax, or to suppress or prohibit theaters, race-tracks, pool-rooms, bowling alleys, billiard halls, and the sale of liquors, subject to the provisions of the local option law of the State of Oregon.

Vote YES or NO.

320. Yes.

321. No.

ARGUMENT IN SUPPORT OF ABOVE AMENDMENT.

The purpose of this amendment is to obtain practical home rule for all cities and towns in Oregon.

Laws which may be necessary and wise for a seaport may not be advisable or good for an inland town.

The proposed amendment gives to the voters of each city in Oregon the right to regulate their own local affairs and to make such laws as the majority of the people of that town wish to make.

The majority should rule. No law, of course, can be passed except by a majority, and the proposed amendment merely prevents a minority ruling. It gives the majority this power which they certainly should have.

It does not seem fair that people who live in Eastern Oregon should vote as to what regulations should be applied to the local affairs of a city in the Willamette Valley, nor on the other hand should people in the Willamette Valley govern the local affairs of cities in Eastern Oregon. It is impossible to make any law which will be equally suitable for all towns, and the proposed amendment gives the taxpayers and voters of each town the right to govern their own local affairs within the city boundaries.

The proposed amendment is home rule for cities. Persons who have some pet measure or policy which they are afraid to submit to a vote of the people will oppose this amendment. It can be opposed only by those persons who are afraid to abide by the rule of the majority of the people.

All others should support it.

(Endorsed)—

Filed January 27, 1908. F. W. BENSON, Secretary of State.

ARGUMENT**(negative)****SUBMITTED BY****The PORTLAND MUNICIPAL ASSOCIATION and the OREGON
ANTI-SALOON LEAGUE****opposing the measure designated on the official ballot as follows:**

PROPOSED BY INITIATIVE PETITION

For constitutional amendment, giving additional and exclusive power to cities and towns, within their corporate limits, to license, regulate, control, and tax, or to suppress or prohibit theatres, race-tracks, pool-rooms, bowling alleys, billiard halls, and the sale of liquors, subject to the provisions of the local option law of the State of Oregon.

Vote YES or NO.

320. Yes.

321. No.

ARGUMENT AGAINST THE FOREGOING AMENDMENT.

The foregoing proposed amendment is entirely superfluous, inasmuch as all cities and towns in the State of Oregon do now enjoy the fullest possible home-rule, having absolute self-government—the right to make and amend their own charters and enact their own laws, **SUBJECT ONLY TO THE CONSTITUTION AND THE GENERAL CRIMINAL LAWS OF THE STATE.** This power was conferred by an amendment to the Constitution adopted in the election of 1906 and made effective by an act of the Legislature of 1907 “for carrying into effect amendment to section 2, article XI of the Constitution, granting to cities and towns the right to enact or amend their charters.”

While the ostensible purpose of the proposed amendment is to “obtain practical home-rule for all cities and towns in Oregon,” it is very evident that the real purpose is to suspend the operation of the criminal laws of the State, as to certain practices, within the bounds of municipalities at their pleasure. If it does give to municipalities any power of home rule which they do not now possess, it is some power contrary to the Constitution of the State, or in violation of the general criminal laws.

“The effect of this amendment, if adopted, would be to divest sheriffs and district attorneys of the power to suppress pool-rooms and Sunday

saloons, and give municipal authorities power to run a town as ~~wide~~ open as they desire. The Constitution now provides that city charters must be 'subject to the Constitution and criminal laws of the State.' The amendment proposed leaves out this important clause."—(Morning Oregonian, 28 January, 1908.)

It is claimed by the advocates of the proposed amendment that it is a step in the direction of "majority rule." This assertion is fallacious. Law emanates from the supreme power in the State, that is the people of the whole State; and to permit the people of a municipality to override laws enacted by the people of the whole State, or to set at naught the moral sentiment of the people of the State, would be the worst form of minority rule.

The proposed amendment would undermine the supremacy of the State. It would create an authority within municipal bounds independent of, and doubtless in many cases opposed to the authority of the State. It is essentially vicious and anarchistic in its tendency.

There can be no doubt that the petition for the enactment of the proposed amendment had its origin among those who are intent upon exploiting the vices of city life for their own profit, and who care little or nothing for the integrity of the State and the moral welfare of its citizens.

The people of Oregon cannot tolerate such tampering with her Constitution, and the vote against this measure should be so overwhelming as to discourage any future attempts in the same direction.

Therefore we object for five reasons:

1. It is a saloon measure intended to entrench the saloon and nullify the local option law.
2. It makes the cities principalities, independent of the criminal laws and police powers of the county and State.
3. It assumes for the city independence from the county, yet does not propose to provide for expense of vice and crime to be borne by cities alone.
4. Because cities and country in counties are an indissoluble whole. What affects one affects the other.
5. This measure is a violent reversion of the entire structure of our government.

PORTLAND MUNICIPAL ASSOCIATION,

By F. A. FRAZIER, Member Executive Board.

OREGON ANTI-SALOON LEAGUE,

By J. R. KNOELL, Asst. Supt.

(Endorsed)—

Filed February 24, 1908.

F. W. BENSON, Secretary of State.

AN AMENDMENT

TO THE

CONSTITUTION OF THE STATE OF OREGON

TO BE SUBMITTED TO THE LEGAL ELECTORS OF THE STATE OF
OREGON FOR THEIR APPROVAL OR REJECTION

AT THE

REGULAR GENERAL ELECTION

TO BE HELD

ON THE FIRST DAY OF JUNE, 1908,

TO AMEND

SECTION 1 OF ARTICLE IX

By initiative petition filed in the office of the Secretary of State, January
28, 1908, in accordance with the provisions of Chapter
226, General Laws of Oregon of 1907.

Printed in pursuance of Section 8 of Chapter 226, Laws of 1907.

Secretary of State.

The following is the form and number in which the question will be
printed on the official ballot:

PROPOSED BY INITIATIVE PETITION

For constitutional amendment providing that all
dwelling houses, barns, sheds, out houses, and all
other appurtenances thereto; all machinery and
buildings used exclusively for manufacturing pur-
poses and appurtenances thereto; all fences, farm
machinery, and appliances used as such; all fruit
trees, vines, shrubs, and all other improvements on
farms; all live stock; all household furniture in use;
and all tools owned by workmen and in use, shall be
exempt from taxation in addition to exemptions now
authorized by the Constitution.

Vote YES or NO.

322. Yes.

323. No.

[On Official Ballot, Nos. 322 and 323.]

CONSTITUTIONAL AMENDMENT.

Section 1 of Article IX of the Constitution of the State of Oregon shall be, and hereby is, amended to read as follows:

Section 1. The Legislative Assembly shall provide by law for uniform and equal rate of assessment and taxation; and shall prescribe such regulations as shall secure a just valuation for taxation of all property, both real and personal, excepting that all dwelling houses, barns, sheds, out houses and all other appurtenances thereto, all machinery and buildings used exclusively for manufacturing purposes and the appurtenances thereto, all fences, farm machinery and appliances used as such, all fruit trees, vines, shrubs, and all other improvements on farms, all live stock, all household furniture in use, and all tools owned by workmen and in use, shall be exempt from taxation; excepting also such property for municipal, educational, literary, scientific, religious or charitable purposes, as may be specially exempted by law.

ARGUMENT

(affirmative)

SUBMITTED BY

THE OREGON TAX REFORM ASSOCIATION

in favor of the measure designated on the official ballot, as follows:

PROPOSED BY INITIATIVE PETITION

For constitutional amendment providing that all dwelling houses, barns, sheds, out houses, and all other appurtenances thereto; all machinery and buildings used exclusively for manufacturing purposes and appurtenances thereto; all fences, farm machinery, and appliances used as such; all fruit trees, vines, shrubs, and all other improvements on farms; all live stock; all household furniture in use; and all tools owned by workmen and in use, shall be exempt from taxation in addition to exemptions now authorized by the Constitution.

Vote YES or NO.

322. Yes.

323. No.

ARGUMENT IN SUPPORT OF ABOVE AMENDMENT.*To the Voters of Oregon:*

The proposed amendment is a step in the direction of the Single Tax. If adopted it would exempt most personal property and improvements from taxation, and the argument submitted has in view that all such property will ultimately be exempted. It does not exempt business buildings, merchandise, cash, improvements of public service corporations, and a few other articles of personalty and improvements. The Oregon Tax Reform Association, composed of men who have devoted their lives to the common good, seeing the injustice and iniquitous results of our present system of taxation, which has been so carefully defended and unscrupulously evaded, by the various special interests and monopolies, feel certain that the time has arrived and the people are ready to abolish this effete and iniquitous system and institute a better, just, and more certain method of taxation. We have, therefore, determined to submit the above amendment to remove taxation from industry and place it on land values. We will prove that this amendment if carried will benefit the farmer, workingman, manufacturer, merchant and, in short, every producer. We will show that taxes will fall on those monopolies which have, through our present tax laws, complacently levied an outrageous toll on industry and have filched from Oregon hundreds of millions of

dollars of publicly created values. Henry George has well stated the results that will follow the adoption of this amendment:

"To appropriate ground rent to public uses by means of taxation would permit the abolition of all the taxation which now presses so heavily upon labor and capital. This would enormously increase the production of wealth by the removal of restrictions and by adding to the incentives to production. It would at the same time enormously increase the production of wealth by throwing open natural opportunities. It would utterly destroy land monopoly by making the holding of land unprofitable to any but the user. There would be no temptation to any one to hold land in expectation of future increase in its value when that increase was certain to be demanded in taxes. No one could afford to hold valuable land idle when the taxes upon it would be as heavy as it would be were it put to the fullest use. Thus speculation in land would be utterly destroyed and land not in use would become free to those who wish to use it. The enormous increase in production which would result from this throwing open the natural means and opportunities of production while at the same time removing the taxation which now hampers, restricts and fines production, would enormously augment the annual fund from which all incomes are drawn. * * *"—Henry George, *Social Problems*, page 285.

The Attorney-General has stated that in his opinion this amendment will exempt the particular things which it specifies. These may be summed up as the two basic pursuits of production and home-building. The effect of the law now in operation is to encourage monopoly and discourage industry—to subsidise monopoly and fine production, to take from the individual a portion of the product of his labor and give it to the land monopolists (and it should be remembered that every monopoly is at base a land monopoly) for every improvement, which results from expenditure of taxes, enhances the value of the land adjacent to the improvement. On the other hand the value of any given site is not earned by the owner. He has contributed no more to its value than any other member of society living near it. The entire population have jointly created this value and should take it for public uses. A concrete illustration will make this more apparent.

Some forty years ago Mr. McGinn paid \$1,500 for the southeast corner of Seventh and Washington streets, Portland. This site is at present covered with mere shacks, but it is safe to say it has yielded him a net income of more than \$100,000. On the 25th day of January, 1908, Mr. McGinn leased this location for twenty-five years, the lessee to erect thereon a substantial building of not less than six stories, pay a rental of \$1,000,000, pay all taxes, assessments incident to all city improvements and forfeit the building to Mr. McGinn at the end of the term. Meanwhile Mr. McGinn lives in Southern California, pays no taxes, produces none of the rental value of this location even indirectly, but simply appropriates \$1,000,000 net of wealth produced by somebody. This simply illustrates the method by which monopoly at all times and everywhere filches wealth from industry. Data of the above taken from the *Oregon Daily Journal*, January 25th, 1908. We do not condemn Mr. McGinn, but the system of taxation that permits it.

All authorities agree that taxation of land value is the only just, certain and efficient method of taxation. It has been partially adopted in

New Zealand, Manitoba, and locally in other countries, and in every instance has given rise to a prosperity never before known. The farmers of Manitoba are the most prosperous in the world, and New Zealand has never known hard times or business depression since its adoption. On the contrary it is universally known that New Zealand's prosperity is superior to any other portion of the globe with the same population. In Manitoba the law reads that no improved farm shall be assessed higher than the vacant land along side. The effect of our amendment will be identical. It will relieve the farmer by allowing improvement to be made without increasing the taxes of the improver.

The farmer usually insists on taxing everything. Under such a system the farmer pays taxes on everything while the bulk of the wealth drained from the farms to the cities always and everywhere eludes the assessor. Such a system is a fine on honesty and a premium on perjury. The most honest official cannot guess anywhere near the value of the vast and various forms of wealth in the cities—cannot tell the difference between a \$200 and a \$500 carpet. On the other hand, the country assessor knows the worth of the farm wagon, and can estimate within 10 per cent the value of all the farmer has. Under this amendment the greatest taxation will fall where land is most valuable. A whole farm can be purchased for \$5,000. One block 200 feet square in the city of Portland is worth \$1,000,000. The value of this one block would purchase 20,000 acres of farming land at \$50 per acre. This block would pay as much taxes as 20,000 acres of \$50 per acre farming land.

The land values of Portland and the other large cities of Oregon are more than seven times as great as the value of all the farming lands of Oregon, yet they pay only 40 per cent of the taxes. The area of all the farming lands in this state is 11,000,000 odd acres and the farming population 100,000. The railroad lands, timber monopolies, and cities of Oregon constitute over 26,000,000 acres and the population of the cities about 335,000. Therefore under our present system the products of 40 per cent of the area pays over 60 per cent of the taxes while the product of 60 per cent of the land (the most valuable land) pays less than 40 per cent of the taxes. That is to say, less than one-fourth of the population pays 60 per cent and three-fourths of the population only pay 40 per cent of the taxes. This is glaringly unjust.

The Supreme Court recently nullified the customary \$300 exemption of farmer's and householder's belongings, yet under the same law millions upon millions of monopoly values go free. It should be noted that if this amendment is adopted the taxes will fall in an increased amount, not upon land as land, but upon land values, thereby relieving the farmer.

Oregon discourages the investment of capital and manufacturing enterprises with high taxes. The people and the papers continually clamor for the investment of capital and the production of wealth. Then why discourage it? Are not our laws highly absurd; laws, that allow useless and nonproductive monopolists to hold out of use thousands of natural manufacturing sites? That they are absurd is shown by the vivid fact that Eugene, Albany, Astoria, Salem, Portland, The Dalles and other cities have from time to time offered and paid bonuses of from two to

twenty thousand dollars to induce mills and factories to the respective cities, and have further offered to partially or wholly exempt them from taxation. What does this mean if not the fact that these communities have consented to purchase of landlordism the privilege to have an industry in their midst? For in almost every instance the bonus offered or given has equaled the value of the desired site and the taxes for a term of years which under our present system are adroitly levied on industry for the benefit of monopoly. This amendment will bring into the State millions of dollars of capital now going to other communities where no attempt is made to tax manufacturing enterprises. That freedom from taxes will cause manufacturing plants to enlarge and new ones to be established need hardly be argued. To this manufacturers all agree.

As high-tariff men would say, "to stimulate manufacturing will provide a home market for Oregon farmers" both for raw material for the factories, and produce for the increasing population; will save freight charges on many commodities now shipped across the continent; while home competition would lower the cost of manufactured articles.

Believers in a protective tariff readily see this, and low-tariff men consider it a fairer way of fostering manufacturing industries.

Baltimore, Atlanta and Birmingham, under the policy of exemption, have become great manufacturing centers. There is no reason why Oregon should not do likewise. Note that this amendment would not exempt the location of manufacturing plants, nor the timber lands of mill men.

The proposed amendment will, as in the case of the farmer, benefit every working man by making employment plentiful—by creating an abundance of opportunities and a scarcity of labor. This condition invariably gives rise, must give rise, to ever advancing wages. For increased demand for workers lessens the supply of competing labor and the law of supply and demand universally governs the price of exchanges.

Monopoly is the curse that has in all countries and all times bound the many in poverty and want and made millionaires of the few. It will be evident to any thoughtful man that if we abolish monopoly the conditions will be reversed. For to abolish land monopoly is to open up to labor the opportunity and the use of land. While land is monopolized, industry must suffer. The destruction of monopoly by taxation will permit the use of land from which all wealth is directly or indirectly produced. And as employment of land in building, cultivation and manufacture increase so the demand for labor must increase. The relinquishment of lands, now held at enormous speculative prices, will make possible the rearing of homes, and release men from the blighting curse of landlordism.

Every new home broadens and strengthens the base of society. We have seen above how monopoly filches tribute from production. It is self-evident that as ground rent falls so wages must rise.

The working man in whatever capacity he labors, farmers, clerks, artisans, mechanics and all should bear clearly in mind that the present system of taxation shifts the whole load of taxation on the consumer, while monopoly, or landlordism, like the robber barons of old, holds the

people in subjection and levies tribute even from the sick and destitute. In spite of the depression that compels many to want and idleness, rents have increased in Portland. It is the old trait that marks its history—tribute for the right to live.

The amendment will benefit all workers, by multiplying demand for labor in factories, on farms and in construction and distribution, by making them independent through free use of land, by making of each a home owner, and by increase of wages which will rise as rent—monopoly power—falls.

Vacant lots and land grants buy no dry goods or groceries. The merchant will readily see in the amendment a wide opportunity for industry, a greater employment of labor, higher wages, and an ever-enlarging fund for purchase or exchange. He will see that exemption of the farmer's improvements and the discouragement of idleness of land will enable and stimulate a greater purchase of building material, machinery, furniture, apparel and sundries. Justice does not discriminate. She benefits all alike. We have but to obey her and that prosperity which only she can give will be our recompense.

The amendment will enable the banks to loan the millions of deposits on actual development of industry instead of on speculative schemes to discount future growth. It will turn the able brains at the heads of great public service corporations from schemes of monopolization, to expanding their proper business as common carriers. It is opposed only to those interests which fence natural opportunity away from enterprise and industry. By shifting taxes to land value and discouraging the holding of vacant land it will foster home-building, and lands now barren wastes will teem with wealth and population. Bank failures and panics will disappear, for failures usually and panics always are caused by schemes of speculation in corporation franchises or special privileges over the land of the public streets and highways.

Oregon will derive more advertisement from its adoption of this amendment, attract more capital and settlers than all the money ever spent for that specific purpose, and it will place this State on a line with the most progressive sections of the world.

This is no war on persons—no appeal to class or personal interests, but to progressive public spirit to amend a tax system which has encouraged injurious speculation and discouraged the increase of industry and wealth. After more than forty years of statehood, Oregon had only 435,000 population in 1900. Her area is twice as great as New York, about as large as Old England and New England combined. They surpass her in population one hundred times while she surpasses them in all that should draw population and enterprise. If Oregon were as densely populated as Rhode Island she would have 45,000,000 people. This amendment appeals to that thoughtful conservatism which knows that we have opened too wide the door to speculation. Oregon is rich in opportunity. It is only required to amend the laws that the abundance of nature may be free to the hand of industry.

OREGON TAX REFORM ASSOCIATION.

(Endorsed)—

Filed February 3, 1908.

F. W. BENSON, Secretary of State.

A N A M E N D M E N T**TO THE****CONSTITUTION OF THE STATE OF OREGON****TO BE SUBMITTED TO THE LEGAL ELECTORS OF THE STATE OF
OREGON FOR THEIR APPROVAL OR REJECTION****AT THE****REGULAR GENERAL ELECTION****TO BE HELD****ON THE FIRST DAY OF JUNE, 1908,****TO AMEND****SECTION 18 OF ARTICLE II**

**By initiative petition filed in the office of the Secretary of State, January
29, 1908, in accordance with the provisions of Chapter
226, General Laws of Oregon of 1907.**

**Printed in pursuance of Section 8 of Chapter 226, Laws of 1907.
Secretary of State.**

**The following is the form and number in which the question will be
printed on the official ballot:**

PROPOSED BY INITIATIVE PETITION

**For an amendment to Article II of the Constitution,
giving the voters power to call a special election at
any time to discharge any public officer and elect his
successor.**

Vote YES or NO.

324. Yes.

325. No.

[On Official Ballot, Nos. 324 and 325.]

CONSTITUTIONAL AMENDMENT.

Article II of the Constitution of the State of Oregon shall be, and hereby is, amended by adding thereto at the end of said article a new section, which shall be numbered Section 18 of said Article II and shall be as follows:

Section 18. Every public officer in Oregon is subject, as herein provided, to recall by the legal voters of the State or of the electoral district from which he is elected. There may be required twenty-five per cent, but not more, of the number of electors who voted in his district at the preceding election for justice of the Supreme Court to file their petition demanding his recall by the people. They shall set forth in said petition the reasons for said demand. If he shall offer his resignation, it shall be accepted and take effect on the day it is offered, and the vacancy shall be filled as may be provided by law. If he shall not resign within five days after the petition is filed, a special election shall be ordered to be held within twenty days in his said electoral district to determine whether the people will recall said officer. On the sample ballot at said election shall be printed in not more than two hundred words, the reasons for demanding the recall of said officer as set forth in the recall petition, and in not more than two hundred words, the officer's justification of his course in office. He shall continue to perform the duties of his office until the result of said special election shall be officially declared. Other candidates for the office may be nominated to be voted for at said special election. The candidate who shall receive the highest number of votes shall be deemed elected for the remainder of the term, whether it be the person against whom the recall petition was filed, or another. The recall petition shall be filed with the officer with whom a petition for nomination to such office should be filed, and the same officer shall order the special election when it is required. No such petition shall be circulated against any officer until he has actually held his office six months, save and except that it may be filed against a senator or representative in the legislative assembly at any time after five days from the beginning of the first session after his election. After one such petition and special election, no further recall petition shall be filed against the same officer during the term for which he was elected unless such further petitioners shall first pay into the public treasury which has paid such special election expenses, the whole amount of its expenses for the preceding special election. Such additional legislation as may aid the operation of this section shall be provided by the Legislative Assembly, including provision for payment by the public treasury of the reasonable special election campaign expenses of such officer. But the words "the Legislative Assembly shall provide" or any similar or equivalent words in this Constitution or any amendment thereto, shall not be construed to grant to the Legislative Assembly any exclusive power of law-making nor in any way to limit the initiative and referendum powers reserved by the people.

A BILL

**TO BE SUBMITTED TO THE LEGAL ELECTORS OF THE STATE OF
OREGON FOR THEIR APPROVAL OR REJECTION**

AT THE

REGULAR GENERAL ELECTION

TO BE HELD

ON THE FIRST DAY OF JUNE, 1908,

To propose by initiative petition a law to instruct the members of the
Legislative Assembly to vote for and elect the candidates selected by
the people for United States Senator from Oregon.

By initiative petition filed in the office of the Secretary of State, January
29, 1908, in accordance with the provisions of Chapter
226, General Laws of Oregon, 1907.

Printed in pursuance of Section 8 of Chapter 226, Laws of 1907.
Secretary of State.

The following is the form and number in which the question will be
printed on the official ballot:

PROPOSED BY INITIATIVE PETITION

A bill for a law instructing members of the Legisla-
ture to vote for and elect the candidates for United
States Senator who receive the highest number of
votes at the general election.

Vote YES or NO.

326. Yes.

327. No.

[On Official Ballot, Nos. 326 and 327.]

A BILL

To propose by initiative petition a law to instruct the members of the Legislative Assembly to vote for and elect the candidates selected by the people for United States Senator from Oregon.

Be it enacted by the people of the State of Oregon:

Section 1. That we, the people of the State of Oregon, hereby instruct our representatives and senators in our Legislative Assembly, as such officers, to vote for and elect the candidates for United States Senator from this State who receive the highest number of votes at our general elections.

AN AMENDMENT

TO THE

CONSTITUTION OF THE STATE OF OREGON

TO BE SUBMITTED TO THE LEGAL ELECTORS OF THE STATE OF
OREGON FOR THEIR APPROVAL OR REJECTION

AT THE

REGULAR GENERAL ELECTION

TO BE HELD

ON THE FIRST DAY OF JUNE, 1908,

TO AMEND

SECTION 16 OF ARTICLE II

By initiative petition filed in the office of the Secretary of State, January
30, 1908, in accordance with the provisions of Chapter
226, General Laws of Oregon, 1907.

Printed in pursuance of Section 8 of Chapter 226, Laws of 1907.
Secretary of State.

The following is the form and number in which the question will be
printed on the official ballot:

PROPOSED BY INITIATIVE PETITION

For constitutional amendment giving the people power
to make laws for election of public officers by ma-
jority vote instead of pluralities; to provide that
political parties and voters' organizations shall be
proportionably represented in all offices filled by the
election of two or more persons, and that a voter
shall vote for only one person for any office, and may
indicate his second, third, etc., choice; and to pro-
vide for a simple method of precinct residence and
registration.

Vote YES or NO.

328. Yes.

329. No.

[On Official Ballot, Nos. 328 and 329.]

CONSTITUTIONAL AMENDMENT.

Section 16 of Article II of the Constitution of the State of Oregon shall be and the same hereby is amended to read as follows:

Section 16. In all elections authorized by this Constitution until otherwise provided by law, the person or persons receiving the highest number of votes shall be declared elected, but provision may be made by law for elections by equal proportional representation of all the voters for every office which is filled by the election of two or more persons whose official duties, rights and powers are equal and concurrent. Every qualified elector resident in his precinct and registered as may be required by law, may vote for one person under the title for each office. Provision may be made by law for the voter's direct or indirect expression of his first, second or additional choices among the candidates for any office. For an office which is filled by the election of one person it may be required by law that the person elected shall be the final choice of a majority of the electors voting for candidates for that office. These principles may be applied by law to nominations by political parties and organizations.

A BILL

TO BE SUBMITTED TO THE LEGAL ELECTORS OF THE STATE OF
OREGON FOR THEIR APPROVAL OR REJECTION

AT THE

REGULAR GENERAL ELECTION

TO BE HELD

ON THE FIRST DAY OF JUNE, 1908,

To propose by initiative petition a law to limit candidates' election expenses; to define, prevent and punish corrupt and illegal practices in nominations and elections; to secure and protect the purity of the ballot; to amend Section 2775 of Bellinger and Cotton's Annotated Codes and States of Oregon; to provide for furnishing information to the electors and to provide the manner of conducting contests for nominations and elections in certain cases.

By initiative petition filed in the office of the Secretary of State, January 30, 1908, in accordance with the provisions of Chapter 226, General Laws of Oregon, 1907.

Printed in pursuance of Section 8 of Chapter 226, Laws of 1907.

Secretary of State.

The following is the form and number in which the question will be printed on the official ballot:

PROPOSED BY INITIATIVE PETITION

A bill for a law to limit the amount of money candidates and other persons may contribute or spend in election campaigns; declaring what shall constitute corrupting use of money and undue influence in elections and punishing the same; prohibiting attempts on election day to persuade any voter to vote for or against any candidate or candidates, or any measure submitted to the people; to protect the purity of the ballot; furnishing information to voters concerning candidates and parties, partly at public expense, and providing for the manner of conducting election contests.

Vote YES or NO.

330. Yes.

331. No.

[On Official Ballot, Nos. 330 and 331.]

HUNTLEY BILL

A BILL

To propose by initiative petition a law to limit candidates' election expenses; to define, prevent and punish corrupt and illegal practices in nominations and elections; to secure and protect the purity of the ballot; to amend section 2775 of Bellinger and Cotton's annotated codes and statutes of Oregon; to provide for furnishing information to the electors and to provide the manner of conducting contests for nominations and elections in certain cases.

Be it enacted by the people of the State of Oregon:

Section 1. No sums of money shall be paid, and no expenses authorized or incurred by or on behalf of any candidate to be paid by him, except such as he may pay to the state for printing, as herein provided, in his campaign for nomination to any public office or position in this state, in excess of fifteen per cent of one year's compensation or salary of the office for which he is a candidate; provided, that no candidate shall be restricted to less than one hundred dollars in his campaign for such nomination. No sums of money shall be paid, and no expenses authorized or incurred, contrary to the provisions of this act, for or on behalf of any candidate for nomination. For the purposes of this law the contribution, expenditure, or liability of a descendant, ascendant, brother, sister, uncle, aunt, nephew, niece, wife, partner, employer, employe, or fellow official or fellow employe of a corporation shall be deemed to be that of the candidate himself.

Section 2. Any candidate, and unless he notifies the Secretary of State that he refuses them permission, the friends of any candidate for nomination to any state or district office, when the district is composed of one or more counties, may file with the Secretary of State, for publication as herein provided, not later than the thirty-third day before the biennial primary nominating election, with his portrait cut if he wishes, a printed or typewritten statement or statements, on the conditions hereinafter set forth, over his or their signatures, stating the reasons why he should be nominated; provided, that no candidate, nor his friends, shall be allowed to file any such statements, unless his petition for nomination is duly filed with the Secretary of State, not later than the forty-first day before said nominating election. Any person or persons opposing the nomination of any such candidate may, not later than the 39th day, before said nominating election, file with the Secretary of State their printed or typewritten statements over their signatures, of the reasons why such candidate should not be nominated, but every such statement shall be accompanied by proof, by affidavit or sheriff's return,

that they have caused to be served personally and in person, upon such candidate a true copy of such statement. Each candidate shall be allowed one page of printed matter and those opposing him shall each be allowed one page of space on equal terms with him as hereinafter provided. Nothing in this law shall be deemed to make any such statement or the authors thereof free or exempt from any civil or criminal action or penalty, because of any false, slanderous or libelous statements offered for printing or contained in said pamphlet. The person or persons procuring, making, composing or offering such statement for filing, shall be deemed the authors and publishers thereof.

Section 3. Candidates for nomination shall pay for one page of space in the publication herein provided for as follows: For the office of United States Senator in Congress, one hundred dollars; for Representative in Congress, one hundred dollars; for Justice of the Supreme Court, seventy-five dollars; for Governor, one hundred dollars; for Secretary of State, one hundred dollars; for State Treasurer, one hundred dollars; for State Printer, one hundred dollars; for State Superintendent of Public Instruction and Attorney-General, each seventy-five dollars; for Commissioner of Labor Statistics and Inspector of Factories and Work Shops, fifty dollars; for Senator or Representative in the Legislative Assembly, ten dollars; for Circuit Judge and District Attorney, fifty dollars each; for candidates for any other office for a district consisting of one or more counties, or state office, twenty-five dollars. Any candidate may have additional space at the rate of one hundred dollars per page, but no payment shall be received for less than a full page; provided, that not more than three additional pages shall be allowed to any one candidate. All payments required by this section shall be made to the Secretary of State when the statement is offered to him for filing, and be by him paid into the general fund in the state treasury.

Section 4. Not later than the thirtieth day before the primary nominating election, the Secretary of State shall hand to the State Printer all of such statements and portrait cuts, properly compiled, edited, prepared and indexed for printing; it shall be the State Printer's duty to print and bind the same in pamphlet form, printing the pictures of candidates with and as a part of their several statements, where such portrait cuts are offered; statements of those who directly oppose any candidate shall follow next after his statement. All of the statements filed for and against all the candidates for nomination to each office shall be printed in the order in which candidates' names are grouped under the title to their offices on the official ballot at the nominating election. In preparing said pamphlets for printing, the Secretary of State shall compile the copy for the same in such form as to make it most convenient for the State Printer to print and bind under one cover, separately for each political party, the statements only of candidates to be voted for by members of that party for nomination in the same electoral district or division; that is to say, the statements and arguments of all candidates seeking republican votes in Multnomah county for nomina-

tion by the republican party to state and district offices, for a district comprising one county or more, shall be printed and bound under one cover, and the same with the democratic and any other party required to nominate its candidates at said nominating election. The same method shall be applied in printing the pamphlets for all other counties and districts, but no picture, statement or argument for or against any candidate for nomination shall be included in the copy of said pamphlet going to any county where such candidate is not to be voted for. The State Printer shall begin the delivery of said pamphlets to the Secretary of State as quickly as possible, and not later than the twentieth day before the nominating election, and complete the same not later than the fifteenth day before said nominating election, printing and delivering first so far as practicable, the pamphlets for the counties in the order of their distance from the state capital. At the time of delivering the copy to the State Printer, the Secretary of State shall order the number of copies he estimates will be necessary for each county.

Section 5. The several county clerks shall obtain the postoffice address of each voter who registers and on the seventeenth day preceding the nominating election said county clerks shall mail to the Secretary of State the name, postoffice address, and party registration of every voter registered at that time in their respective counties; immediately on the close of registration for such nominating election, and again at the close of registration for the general election, they shall deliver to the Secretary of State the postoffice address and party registration of every voter who registers during the said interval. At least eight days before the regular biennial primary nominating election, the Secretary of State shall forward by mail to every voter who is registered as a member of one of the several political parties required to nominate their candidate at such nominating election, a copy of the pamphlet of his political party, containing the names and statements herein provided for. The pages of the pamphlets required by this act shall be six by nine inches in size, and the printed matter therein shall be set in eight point Roman faced type, single leaded, and twenty-five ems pica in width, with proper heads. In the foot margin of every page of the party pamphlets for nominating election shall be shown the authority for the information therein, as "This information furnished by (name of candidate or name of his friends or opponents)," as the case may be. In the foot margin of every page of the pamphlet herein provided for the general election shall be shown the authority for the statements thereof, as "This information furnished by (title of committee or managing agent of the political party or name of the independent candidate)," as the case may be.

Section 6. Not later than the thirtieth day before the regular biennial general election the state executive committee or managing officers of any political party or organization having nominated candi-

dates, but no others except independent candidates, may file with the Secretary of State portrait cuts of its candidates and typewritten statements and arguments for the success of its principles and the election of its candidates, and opposing or attacking the principles and candidates of all other parties. Not later than the twenty-eighth day before said general election the Secretary of State shall deliver to the State Printer properly compiled and prepared for printing, the said portrait cuts, statements and arguments, with an order for the number of pamphlet copies of the same necessary to supply one, at least, complete as to the candidates to be voted for in any county for which the same may be designed, for every registered voter within the State of Oregon. The State Printer shall begin delivering said pamphlets to the Secretary of State as soon as possible, and shall complete the same within twelve days. The Secretary of State shall begin mailing the pamphlets to the voters of the state as soon as they are delivered to him, and shall complete the mailing on or before the tenth day before said general election.

Section 7. All the portrait cuts, statements and arguments of all the political parties and independent candidates shall be bound together in one pamphlet, and no party shall have more than twenty-four pages, nor an independent candidate more than two pages therein. The political parties and independents shall pay to the Secretary of State for the public treasury for said pamphlet at the time of filing their copy with him, at the rate of fifty dollars for each printed page of space in said pamphlet used by such party or independent candidate. The provisions of the preceding sections requiring estimates of the number of pamphlets for each county, limitations on the candidates' names, statements and pictures to be included in the pamphlets going to each county, and the manner of distribution, shall apply in like manner to the pamphlets herein provided for the general election.

Section 8. No sums of money shall be paid and no expenses authorized or incurred by or on behalf of any candidate who has received the nomination to any public office or position in this state, except such as he may contribute towards payment for his political party's or independent statement in the pamphlet herein provided for, to be paid by him in his campaign for election, in excess of ten per cent of one year's salary or compensation of the office for which he is nominated; provided, that no candidate shall be restricted to less than one hundred dollars. No sum of money shall be paid and no expenses authorized or incurred by or on behalf of any political party or organization to promote the success of the principles or candidates of such party or organization, contrary to the provisions of this act. For the purposes of this act the contribution, expenditure or liability of a descendant, ascendant, brother, sister, uncle, aunt, nephew, niece, wife, partner, employer, employe or fellow official or fellow employe of a corporation shall be deemed to be that of the candidate himself.

Section 9. In cities of more than ten thousand population, any candidate for nomination or election to any elective municipal office may

file with the City Clerk, Auditor or Recorder, not later than the fifteenth day before the municipal primary nominating election, a statement of the reasons why he should be nominated and elected, and portrait cut if he desires, on the conditions hereinafter set forth. Such candidate shall pay for the services herein provided at the rate of twenty dollars for each printed page of space; no payment shall be received for less than a full page. All payments made under this section shall be made to the City Clerk, Auditor or Recorder at the time the statement is offered to him for filing, and shall be by him paid into the general fund in the city treasury. The City Clerk, Auditor or Recorder shall properly compile, edit, prepare and index said statements and arguments for printing, and if there shall be any municipal measures to be voted upon at the ensuing municipal election he may bind in with said pamphlet a copy of each and of the arguments submitted thereon in like manner as the Secretary of State is required to do in state elections, and shall cause the same to be printed in the same manner that other city printing is done, and have them all bound under one cover; and he shall, at least eight days before the regular nominating election, forward a copy of said pamphlet with postage fully prepaid, to each voter in the city whose postoffice address he may have or can obtain from the city directory, registration books or otherwise. The provisions of this section shall not apply to cities of less than ten thousand inhabitants, as shown by the census next preceding such municipal election. The provisions of the preceding sections for statements opposing candidates shall apply also to municipal elections, under this section, subject to the same rules of filing, payments, etc., required of candidates' statements by this section.

Section 10. Terms used in this act shall be construed as follows, unless other meaning is clearly apparent from the language or context, or unless such construction is inconsistent with the manifest intent of the law:

"Persons" shall apply to any individual, male or female, and, where consistent with collective capacity, to any committee, firm, partnership, club, organization, association, corporation, or other combination of individuals.

"Candidate" shall apply to any person whose name is printed on an official ballot for public office, or whose name is expected to be or has been presented for public office, with his consent, for nomination or election.

"Political agent" shall apply to any person who, upon request or under agreement, receives or disburses money in behalf of a candidate.

"Political committee" shall apply to every combination of two or more persons who shall aid or promote the success or defeat of a candidate, or a political party or principle, and the provisions of law relating thereto shall apply to any firm or partnership, to any corporation, and to any club, organization, association, or other combination of persons,

whether incorporated or not, with similar purposes, whether primary or incidental.

"Public office" shall apply to any national, state, county or city office to which a salary attaches and which is filled by the voters, as well as to the office of presidential elector, United States Senator, or presiding officer of either branch of the Legislature.

"Give," "provide," "expend," "contribute," "receive," "ask," "solicit," and like terms, with their corresponding nouns, shall apply to money, its equivalent, or any other valuable thing; shall include the promise, advance, deposit, borrowing, or loan thereof, and shall cover all or any part of a transaction, whether it be made directly or indirectly.

None of the provisions of this act shall be construed as relating to the rendering of services by speakers, writers, publishers, or others, for which no compensation is asked or given; nor to prohibit expenditure by committees of political parties or organizations for public speakers, music, halls, lights, literature, advertising, office rent, printing, postage, clerk hire, challengers or watchers at the polls, traveling expenses, telegraphing or telephoning, or the making of poll lists.

Section 11. Every candidate for nomination or election to public office, including candidates for the office of Senator of the United States, shall, within fifteen days after the election at which he was a candidate, file with the Secretary of State, if a candidate for Senator of the United States, Representative in Congress, or for any state or district office in a district composed of one or more counties, or for members of the Legislative Assembly from a district composed of more than one county, but with the County Clerk for legislative districts composed of not more than one county, and for county and precinct offices, and with the Town Clerk, Auditor or Recorder, of the town or city in which he resides if he was a candidate for a town, city or ward office, an itemized sworn statement setting forth in detail all the moneys contributed, expended or promised by him to aid and promote his nomination or election, or both, as the case may be, and for the election of his party candidates, and all existing unfulfilled promises of every character and all liabilities remaining uncanceled and in force at the time such statement is made, whether such expenditures, promises and liabilities were made or incurred before, during or after such election. If no money or other valuable thing was given, paid, expended, contributed, or promised, and no unfulfilled liabilities were incurred by a candidate for public office to aid or promote his nomination or election, or the election of his party candidates, he shall file a statement to that effect within fifteen days after the election at which he was a candidate. Any candidate who shall fail to file such a statement shall be fined twenty-five dollars for every day on which he was in default, unless he shall be excused by the court. Fifteen days after any such election the Secretary of State, or County Clerk, Town Clerk, Auditor or Recorder, as the case may be, shall notify the District Attorney of any failure to file such a statement on the part of any can-

didate, and within ten days thereafter such prosecuting officer shall proceed to prosecute said candidate for such offense.

Section 12. Every political committee shall have a treasurer, who is a voter, and shall cause him to keep detailed accounts of all its receipts, payments and liabilities. Similar accounts shall be kept by every person, who in the aggregate receives or expends money or incurs liabilities to the amount of more than fifty dollars for political purposes and by every political agent and candidate. Such accounts shall cover all transactions in any way affecting or connected with the political canvass, campaign, nomination or election concerned. Every person receiving or expending money or incurring liability by authority or in behalf of or to promote the success or defeat of such committee, agent, candidate or other person or political party or organization, shall, on demand, and in any event within fourteen days after such receipt, expenditure or incurrence of liability, give such treasurer, agent, candidate or other person on whose behalf such expense or liability was incurred detailed account thereof, with proper vouchers. Every payment, except payments less in the aggregate than five dollars to any person, shall be vouched for by a receipted bill stating the particulars of expense. Every voucher, receipt and account hereby required shall be a part of the accounts and files of such treasurer, agent, candidate or other person, and shall be preserved by the public officer with whom it shall be filed for six months after the election to which it refers. Any person not a candidate for any office or nomination who expends money or value to an amount greater than fifty dollars in any campaign for nomination or election, to aid in the election or defeat of any candidate or candidates, or party ticket, or measure before the people, shall within ten days after the election in which said money or value was expended, file with the Secretary of State in the case of a measure voted upon by the people, or of state or district offices for districts composed of one or more counties, or with the County Clerk for county offices, and with the City Clerk, Auditor or Recorder for municipal offices, an itemized statement of such receipts and expenditures and vouchers for every sum paid in excess of five dollars, and shall at the same time deliver to the candidate or treasurer of the political organization whose success or defeat he has sought to promote, a duplicate of such statement and a copy of such vouchers. The books of account of every treasurer of any political party, committee or organization, during an election campaign, shall be open at all reasonable office hours to the inspection of the treasurer and chairman of any opposing political party or organization for the same electoral district; and this right of inspection may be enforced by writ of mandamus by any court of competent jurisdiction.

Section 13. The Secretary of State shall, at the expense of the state, furnish to the County Clerk, and to the City and Town Clerks, Auditors and Recorders, copies of this act as a part of the election laws. In the filing of a nomination petition or certificate of nomination, the Secretary of State, in the case of state and district offices for districts

composed of one or more counties, and County Clerks for county offices, and the City and Town Clerks, Auditors or Recorders for municipal offices, shall transmit to the several candidates, and to the treasurers of political committees, and to political agents, as far as they may be known to such officer, copies of this act, and also to any other person required to file a statement such copies shall be furnished upon application therefor. Upon his own information, or at the written request of any voter, said Secretary of State shall transmit to any other person believed by him or averred to be a candidate, or who may otherwise be required to make a statement, a copy of this act.

Section 14. The several officers with whom statements are required to be filed shall inspect all statements of accounts and expenses relating to nominations and elections filed with them within ten days after the same are filed; and if upon examination of the official ballot it appears that any person has failed to file a statement as required by law, or if it appears to any such officer that the statement filed with him does not conform to law, or upon complaint in writing by a candidate or by a voter that a statement filed does not conform to law or to the truth, or that any person has failed to file a statement which he is by law required to file, said officer shall forthwith in writing notify the delinquent person. Every such complaint filed by a citizen or candidate shall state in detail the grounds of objection, shall be sworn to by the complainant, and shall be filed with the officer within sixty days after the filing of the statement or amended statement. Upon the written request of a candidate or any voter, filed within sixteen days after any convention, primary or nominating election, said Secretary of State, County Clerk, City or Town Clerk, Auditor or Recorder, as the case may be, shall demand from any specified person or candidate a statement of all his receipts, and from whom received, disbursements and liabilities in connection with or in any way relating to the nomination or election concerned, whether it is an office to which a salary or compensation is attached or not, and said person shall thereupon be required to file such statement and to comply with all the provisions relating to statements herein contained. Whoever makes a statement required by this act shall make oath attached thereto that it is in all respects correct, complete, and true, to the best of his knowledge and belief, and said verification shall be substantially the form herein provided.

Section 15. Upon the failure of any person to file a statement within ten days after receiving notice under the preceding section, or if any statement filed as above discloses any violation of any provision of this act relating to corrupt practices in elections, or in any other provision of the election laws, the Secretary of State, the County Clerk, or the City Clerk, Auditor or Recorder, as the case may be, shall forthwith notify the District Attorney of the district where said violation occurred and shall furnish him with copies of all papers relating thereto, and said District Attorney shall within sixty days thereafter examine every such case, and if the evidence seems to him to be sufficient under the pro-

visions of this act he shall in the name of the state forthwith institute such civil or criminal proceedings as may be appropriate to the facts.

Section 16. The circuit court of the county in which any statement of accounts and expenses relating to nominations and elections should be filed, unless herein otherwise provided, shall have exclusive original jurisdiction of all violations of this act, and may compel any person who fails to file such a statement as required by this act, or who files a statement which does not conform to the provisions of this act in respect to its truth, sufficiency in detail or otherwise, to file a sufficient statement, upon the application of the Attorney-General or of the District Attorney, or the petition of a candidate or of any voter. Such petition shall be filed in the circuit court within sixty days after such election if the statement was filed within the fifteen days required, but such a petition may be filed within thirty days after any payment not included in the statement so filed.

Section 17. All statements shall be preserved for six months after the election to which they relate, shall be public records subject to public inspection, and it shall be the duty of the officers having custody of the same to give certified copies thereof in like manner as of other public records. The totals of each statement filed with him, with the name of the person or candidate filing it, shall be published in the next annual report of the Secretary of State, the County Clerk or the City Clerk, Auditor or Recorder, as the case may be.

Section 18. No person shall make a payment of his own money or of another person's money to any other person in connection with a nomination or election in any other name than that of the person who in truth supplies such money; nor shall any person knowingly receive such payment, or enter or cause the same to be entered in his accounts or records in another name than that of the person by whom it was actually furnished; provided, if the money be received from the treasurer of any political organization it shall be sufficient to enter the same as received from said treasurer.

Section 19. No person shall, in order to aid or promote his nomination or election, directly or indirectly, himself or through any other person, promise to appoint another person, or promise to secure or aid in securing the appointment, nomination or election of another person to any public or private position or employment, or to any position of honor, trust or emolument, except that he may publicly announce or define what is his choice or purpose in relation to any election in which he may be called to take part, if elected, and if he is a candidate for nomination or election as a member of the Legislative Assembly he may pledge himself to vote for the people's choice for United States Senator, or state what his action will be on such vote.

Section 20. No holder of a public position or office other than an office filled by the voters, shall pay or contribute to aid or promote the nomination or election of any other person to public office. No person

shall invite, demand or accept payment or contribution from such holder of a public position or office for campaign purposes.

Section 21. No holder of a public position other than an office filled by the voters shall be a delegate to a convention for the election district that elects the officer or board under whom he directly or indirectly holds such position, nor shall he be a member of a political committee for such district.

Section 22. No person shall invite, offer or effect the transfer of any convention credential in return for any payment of money or other valuable thing.

Section 23. No person shall pay, or promise to reward another in any manner or form for the purpose of inducing him to be or refrain from or cease being a candidate, and no person shall solicit any payment, promise or reward from another for such purpose.

Section 24. No person shall demand, solicit, ask or invite any payment or contribution for any religious, political, charitable or other cause or organization supposed to be primarily or principally for the public good, from a person who seeks to be or has been nominated or elected to any office; and no such candidate or elected person shall make any such payment or contribution if it shall be demanded or asked during the time he is a candidate for nomination or election to or an incumbent of any office. No payment or contribution for any purpose shall be made a condition precedent to the putting of a name on any caucus or convention ballot or nomination paper or petition, or to the performance of any duty imposed by law on a political committee. No person shall demand, solicit, ask or invite any candidate to subscribe to the support of any club or organization, to buy tickets to any entertainment or ball, or to subscribe for or pay for space in any book, program, periodical or other publication; if any candidate shall make any such payment or contribution with apparent hope or intent to influence the result of the election, he shall be guilty of a corrupt practice; but this section shall not apply to the soliciting of any business advertisement for insertion in a periodical in which such candidate was regularly advertising prior to his candidacy nor to ordinary business advertising nor to his regular payment to any organization, religious, charitable or otherwise of which he may have been a member, or to which he may have been a contributor, for more than six months before his candidacy nor to ordinary contributions at church services.

Section 25. No corporation, and no person, trustee, or trustees owning or holding the majority of the stock of a corporation carrying on the business of a bank, savings bank, co-operative bank, trust, trustee, surety, indemnity, safe deposit, insurance, railroad, street railway, telegraph, telephone, gas, electric light, heat, power, canal, aqueduct; water, cemetery, or crematory company, or any company having the right to take or condemn land or to exercise franchises in public ways granted by the state or by any county, city or town shall pay or contribute in order to aid, promote or prevent the nomination or election of any per-

son, or in order to aid or promote the interests, success or defeat of any political party or organization. No person shall solicit or receive such payment or contribution from such corporation or such holders of a majority of such stock.

Section 26. Any person or candidate who shall either by himself or by any other person, either before or after an election, or while such person or candidate is seeking a nomination or election, directly or indirectly, give or provide, or pay, wholly or in part, the expenses of giving or providing any meat or drink or other entertainment or provision, clothing, liquors, cigars or tobacco, to or for any person for the purpose of or with intent or hope to influence that person or any other person to give or refrain from giving his vote at such election to or for any candidate or political party ticket, or measure before the people, or on account of such person or any other person having voted or refrained from voting for any candidate or the candidates of any political party or organization or measure before the people, or being about to vote or refrain from voting at such election, shall be guilty of treating. Every elector who accepts or takes any such meat, drink, entertainment, provision, clothing, liquors, cigars or tobacco, shall also be guilty of treating; and such acceptance shall be a ground of challenge to his vote and of rejecting his vote on a contest.

Section 27. Section 2775 of Bellinger and Cotton's Annotated Codes and Statutes of Oregon shall be and the same is hereby amended to read as follows:

Sec. 2775. Whenever any person's right to vote shall be challenged, and he has taken the oath prescribed by section 2774, and if it is at a nominating election, then with the addition of the words "and that I am in good faith a member of the political party with which I am registered" it shall be the duty of the clerks of election to write in the poll books at the end of such person's name the words "challenged and sworn," with the name of the challenger. Thereupon the chairman of the board of judges shall write upon the back of the ballot offered by such challenged voter the number of his ballot, in order that the same may be identified in any future contest of the results of the election, and be cast out if it shall appear to the court to have been for any reason wrongfully or illegally voted for any candidate or on any question. And such marking of the name of such challenged voter, nor the testimony of any judge or clerk of election in reference thereto, or in reference to the manner in which said challenged person voted, if said testimony shall be given in the course of any contest, investigation or trial wherein the legality of the vote of such person is questioned for any reason, shall not be deemed a violation of section 2829 of Bellinger and Cotton's Annotated Codes and Statutes of Oregon.

Section 28. Every person who shall directly or indirectly, by himself or any other person in his behalf, make use of or threaten to make use of any force, coercion, violence, restraint, or undue influence, or in-

flit or threaten to inflict, by himself or any other person, any temporal or spiritual injury, damage, harm, or loss upon or against any person in order to induce or compel such person to vote or refrain from voting for any candidate or the ticket of any political party, or any measure before the people, or any person who, being a minister, preacher or priest, or any officer of any church, religious or other corporation or organization, otherwise than by public speech or print, shall urge, persuade or command any voter to vote or refrain from voting for or against any candidate or political party ticket or measure submitted to the people, for or on account of his religious duty, or the interest of any corporation, church or other organization, or who shall by abduction, duress or any fraudulent contrivance, impede or prevent the free exercise of the franchise by any voter at any election, or shall thereby compel, induce or prevail upon any elector to give or to refrain from giving his vote at any election, shall be guilty of undue influence, and shall be punished as for a corrupt practice.

Section 29. Any candidate who, before or during any election campaign, makes any bet or wager of anything of pecuniary value, or in any manner becomes a party to any such bet or wager on the result of the election in his electoral district, or in any part thereof, or on any event or contingency relating to any pending election, or who provides money or other valuable to be used by any person in betting or wagering upon the results of any impending election, shall be guilty of a corrupt practice. Any person who, for the purpose of influencing the result of any election makes any bet or wager of anything of pecuniary value on the result of such election in his electoral district or any part thereof, or of any pending election, or on any event or contingency relating thereto shall be guilty of a corrupt practice, and in addition thereto any such act shall be a ground of challenge against his right to vote.

Section 30. Any person shall be deemed to be guilty of the offense of personation who, at any election, applies for a ballot in the name of some other person, whether it be that of a person living or dead, or of a fictitious person, or who having voted once at an election applies at the same election for a ballot in his own name; and on conviction thereof such person shall be punished by imprisonment in the penitentiary at hard labor for not less than one nor more than three years.

Section 31. Any person shall be guilty of a corrupt practice within the meaning of this act if he expends any money for election purposes contrary to the provisions of any statute of this state, or if he is guilty of treating, undue influence, personation, the giving or promising to give, or offer of any money or valuable thing to any elector with intent to induce such elector to vote for or to refrain from voting for any candidate for public office, or the ticket of any political party or organization, or any measure submitted to the people, at any election, or to register or refrain from registering as a voter at any state, district, county, city, town, village or school district election for public offices or on

public measures. Such corrupt practice shall be deemed to be prevalent when instances thereof occur in different election districts similar in character and sufficient in number to convince the court before which any case involving the same may be tried that they were general and common, or were pursuant to a general scheme or plan.

Section 32. It shall be unlawful for any person to pay another for any loss or damage due to attendance at the polls, or in registering, or for the expense of transportation to or from the polls. No person shall pay for personal service to be performed on the day of a caucus, primary, convention, or any election, for any purpose connected therewith, tending in any way, directly or indirectly, to affect the result thereof, except for the hiring of persons whose sole duty is to act as challengers and watch the count of official ballots. No person shall buy, sell, give or provide any political badge, button or other insignia to be worn at or about the polls on the day of any election, and no such political badge, button or other insignia shall be worn at or about the polls on any election day.

Section 33. No publisher of a newspaper or other periodical shall insert, either in its advertising or reading columns, any paid matter which is designed or tends to aid, injure or defeat any candidate or political party or organization, or measure before the people, unless it is stated therein that it is a paid advertisement, the name of the chairman or secretary, or the names of the other officers of the political or other organization inserting the same, or the name of some voter who is responsible therefor, with his residence and the street and number thereof, if any, appear in such advertisement in the nature of a signature. No person shall pay the owner, editor, publisher or agent of any newspaper or other periodical to induce him to editorially advocate or oppose any candidate for nomination or election, and no such owner, editor, publisher or agent shall accept such payment. Any person who shall violate any of the provisions of this section shall be punished as for a corrupt practice.

Section 34. It shall be unlawful for any person at any place on the day of any election to ask, solicit, or in any manner try to induce or persuade any voter on such election day to vote for or refrain from voting for any candidate, or the candidates or ticket of any political party or organization, or any measure submitted to the people, and upon conviction thereof he shall be punished by fine of not less than five dollars nor more than one hundred dollars for the first offense, and for the second and each subsequent offense occurring on the same or different election days, he shall be punished by fine as aforesaid, or by imprisonment in the county jail for not less than five nor more than thirty days, or by both such fine and imprisonment.

Section 35. It shall be unlawful to write, print, or circulate through the mails or otherwise any letter, circular, bill, placard or poster relating to any election or to any candidate at any election, unless the same shall bear on its face the name and address of the author, and of the printer

and publisher thereof; and any person writing, printing, publishing, circulating, posting, or causing to be written, printed, circulated, posted or published any such letter, bill, placard, circular or poster as aforesaid, which fails to bear on its face the name and address of the author and of the printer or publisher, shall be guilty of an illegal practice, and shall, on conviction thereof, be punished by fine of not less than ten dollars nor more than one thousand dollars. If any letter, circular, poster, bill, publication or placard shall contain any false statement or charges reflecting on any candidate's character, morality or integrity, the author thereof and every person printing or knowingly assisting in the circulation thereof shall be guilty of political criminal libel and upon conviction thereof shall be punished by imprisonment in the penitentiary for not less than one nor more than three years. If the person charged with such crime shall prove on his trial that he had reasonable ground to believe such charge was true and did believe it was true, and that he was not actuated by malice in making such publication, it shall be a sufficient defense to such charge. But in that event, and as a part of such defense, the author and the printer or publisher or other person charged with such crime shall also prove that, at least fifteen days before such letter, circular, poster, bill or placard containing such false statement or statements was printed or circulated, he or they caused to be served personally and in person upon the candidate to whom it relates a copy thereof in writing, and calling his attention particularly to the charges contained therein, and that, before printing, publishing or circulating such charges, he received and read any denial, defense or explanation, if any, made or offered to him in writing by the accused candidate within ten days after the service of such charge upon the accused person.

Section 36. The name of a candidate chosen at a primary nominating election or otherwise, shall not be printed on the official ballot for the ensuing election unless there has been filed by or on behalf of said candidate the statements of accounts and expenses relating to nominations required by this act, as well as a statement by his political agent and by his political committee or committees in his behalf, if his statement discloses the existence of such agent, committee or committees. The officer or board entrusted by law with the preparation of the official ballots for any election shall, as far as practicable, warn candidates of the danger of the omission of their names by reason of this provision, but delay in making any such statement beyond the time prescribed shall not preclude its acceptance or prevent the insertion of the name on the ballot if there is reasonable time therefor after the receipt of such statements. Any such vacancy on the ballot shall be filled by the proper committee of his political party in the manner authorized by law, but not by the use of the name of the candidate who failed to file such statements. No person shall receive a certificate of election until he shall have filed the statements required by this act.

Section 37. It shall be unlawful for any person to accept, receive, or pay money or any valuable consideration for becoming or for refraining from becoming a candidate for nomination or election, or by himself or in combination with any other person or persons to become a candidate for the purpose of defeating the nomination or election of any other person and not with a bona fide intent to obtain the office. Upon complaint made to any circuit court, if the judge shall be convinced that any person has sought the nomination or seeks to have his name presented to the voters as a candidate for nomination by any political party for any mercenary or venal consideration or motive, and that his candidacy for the nomination is not in good faith, the judge shall forthwith issue his writ of injunction restraining the officer or officers whose duty it is to prepare the official ballots for such nominating election from placing the name of such person thereon as a candidate for nomination to any office. In addition thereto the court shall direct the District Attorney to institute criminal proceedings against such person or persons for corrupt practice, and upon conviction thereof he and any person or persons combining with him shall be punished by a fine of not more than one thousand dollars, or imprisonment in the county jail for not more than one year.

Section 38. Where, upon the trial of any action or proceeding under the provisions of this act for the contest of the right of any person declared nominated or elected to any office, or to annul or set aside such nomination or election, or to remove a person from his office, it appears from the evidence that the offense complained of was not committed by the candidate, or with his knowledge or consent, or was committed without his sanction or connivance, and that all reasonable means for preventing the commission of such offense at such election were taken by and on behalf of the candidate, or that the offense or offenses complained of were trivial, unimportant and limited in character, and that in all other respects his participation in the election was free from such offenses or illegal acts, or that any act or omission of the candidate arose from inadvertence or from accidental miscalculation, or from some other reasonable cause of a like nature and in any case did not arise from any want of good faith, and under the circumstances it seems to the court to be unjust that the said candidate shall forfeit his nomination or office or be deprived of any office of which he is the incumbent, then the nomination or election of such candidate shall not by reason of such offense or omission complained of be void, nor shall the candidate be removed from or deprived of his office.

Section 39. If, upon the trial of any action or proceeding under the provisions of this act, for the contesting of the right of any person declared to be nominated to an office, or elected to an office, or to annul and set aside such election, or to remove any person from his office, it shall appear that such person was guilty of any corrupt practice, illegal act, or undue influence in or about such nomination or election, he shall

be punished by being deprived of the nomination or office, as the case may be, and the vacancy therein shall be filled in the manner provided by law. The only exception to this judgment shall be that provided in section 38 of this act. Such judgment shall not prevent the candidate or officer from being proceeded against by indictment or criminal information for any such act or acts.

Section 40. Any action to contest the right of any person declared elected to an office, or to annul and set aside such election, or to remove from or deprive any person of an office of which he is the incumbent, for any offense mentioned in this act, must, unless a different time be stated, be commenced within forty days after the return day of the election at which such offense was committed, unless the ground of the action or proceeding is for the illegal payment of money or other valuable thing subsequent to the filing of the statements prescribed by this act, in which case the action or proceeding may be commenced within forty days after the discovery by the complainant of such illegal payment. A contest of the nomination or office of Governor or Representative or Senator in Congress must be commenced within twenty days after the declaration of the result of the election, but this shall not be construed to apply to any contest before the Legislative Assembly.

Section 41. An application for filing a statement, payment of a claim or correction of an error or false recital in a statement filed, or an action or proceeding to annul and set aside the election of any person declared elected to an office, or to remove or deprive any person of his office for an offense mentioned in this act, or any petition to excuse any person or candidate in accordance with the power of the court to excuse as provided in section 38 of this act, must be made or filed in the circuit court of the county in which the certificate of his nomination as a candidate for the office to which he is declared nominated or elected is filed or in which the incumbent resides.

Section 42. A candidate nominated or elected to an office, and whose nomination or election thereto has been annulled and set aside for any offense mentioned in this act, shall not, during the period fixed by law as the term of such office, be elected or appointed to fill any office or vacancy in any office or position of trust, honor or emolument under the laws of the State of Oregon or of any municipality therein. Any appointment or election to any office or position of trust, honor or emolument made in violation of or contrary to the provisions of this act shall be void.

Section 43. If any District Attorney shall be notified by any officer or other person of any violation of any of the provisions of this act within his jurisdiction, it shall be his duty forthwith to diligently inquire into the facts of such violation, and if there is reasonable ground for instituting a prosecution it shall be the duty of such District Attorney to file a complaint or information in writing, before a court of competent jurisdiction, charging the accused person with such offense; if any Dis-

strict Attorney shall fail or refuse to faithfully perform any duty imposed upon him by this act, he shall be deemed guilty of a misdemeanor, and upon conviction thereof shall forfeit his office. It shall be the duty of the District Attorney, under penalty of forfeiture of his office, to prosecute any and all persons guilty of any violation of the provisions of this act, the penalty of which is fine or imprisonment, or both, or removal from office.

Section 44. If, in any case of a contest on the ground of illegal votes, it appears that another person than the one returned has the highest number of legal votes, after the illegal votes have been eliminated, the court must declare such person nominated or elected, as the case may be.

Section 45. Any elector of the state, or of any political or municipal division thereof, may contest the right of any person to any nomination or office for which such elector has the right to vote, for any of the following causes:

1. On the ground of deliberate, serious and material violation of any of the provisions of this act, or of any other provision of the law relating to nominations or elections.
2. When the person whose right was contested was not, at the time of the election, eligible to such office.
3. On account of illegal votes, or an erroneous or fraudulent count or canvass of votes.

Section 46. Nothing in the third ground of contest specified in section 45 is to be so construed as to authorize a nomination or election to be set aside on account of illegal votes, unless it appear, either that the candidate or nominee whose right is contested had knowledge of, or connived at such illegal votes, or that the number of illegal votes given to the person whose right to the nomination or office is contested, if taken from him, would reduce the number of his legal votes below the number of votes given to some other person for the same nomination or office, after deducting therefrom the illegal votes which may be shown to have been given to such other person.

Section 47. When the reception of illegal votes is alleged as a cause of contest, it shall be sufficient to state generally that in one or more specified voting precincts, illegal votes were given to the person whose nomination or election is contested, which, if taken from him, will reduce the number of his legal votes below the number of legal votes given to some other person for the same office; but no testimony shall be received of any illegal votes unless the party contesting such election deliver to the opposite party, at least three days before such trial, a written list of the number of illegal votes, and by whom given, which he intends to prove on such trial. This provision shall not prevent the contestant from offering evidence of illegal votes not included in such statement, if he did not know and by reasonable diligence was

unable to learn of such additional illegal votes and by whom they were given, before delivering such written list.

Section 48. Any petition contesting the right of any person to a nomination or election shall set forth the name of every person whose election is contested, and the grounds of the contest, and shall not thereafter be amended, except by leave of the court. Before any proceeding thereon the petitioner shall give bond to the state in such sum as the court may order, not exceeding two thousand dollars, with not less than two sureties, who shall justify in the manner required of sureties on bail bonds, conditioned to pay all costs, disbursements and attorney's fees that may be awarded against him if he shall not prevail. If the petitioner prevails, he may recover his costs, disbursements and reasonable attorney's fees against the contestee. But costs, disbursements and attorney's fees, in all such cases, shall be in the discretion of the court, and in case judgment is rendered against the petitioner it shall also be rendered against the sureties on the bond. On the filing of any such petition the clerk shall immediately notify the judge of the court, and issue a citation to the persons whose nomination or office is contested, citing them to appear and answer not less than three nor more than seven days after the date of filing the petition, and the court shall hear said cause, and every such contest shall take precedence over all other business on the court docket and shall be tried and disposed of with all convenient dispatch. The court shall always be deemed in session for the trial of such cases.

Section 49. The petitioner (contestant) and the contestee may appear and produce evidence at the hearing, but no person other than the petitioner and contestee shall be made a party to the proceedings on such petition; and no person other than said parties and their attorneys shall be heard thereon, except by order of the court. If more than one petition is pending, or the election of more than one person is contested, the court may, in its discretion, order the cases to be heard together, and may apportion the costs, disbursements and attorney's fees between them, and shall finally determine all questions of law and fact, save only that the judge may in his discretion empanel a jury to decide on questions of fact. In the case of a contested nomination or election for Senator or Representative in the Legislative Assembly, or for Senator or Representative in Congress, the court shall forthwith certify its findings to the Secretary of State to be by him transmitted to the presiding officer of the body in question. In the case of other nominations or elections, the court shall forthwith certify its decision to the board or official issuing certificates of nomination or election, which board or official shall thereupon issue certificates of nomination or election to the person or persons entitled thereto by such decision. If judgment of ouster against a defendant shall be rendered, said judgment shall award the nomination or office to the person receiving next the highest number of votes, unless it shall be further determined in the action, upon appro-

prate pleading and proof by the defendant, that some act has been done or committed which would have been ground in a similar action against such person, had he received the highest number of votes for such nomination or office, for a judgment of ouster against him; and if it shall be so determined at the trial, the nomination or office shall be by the judgment declared vacant, and shall thereupon be filled by a new election, or by appointment, as may be provided by law regarding vacancies in such nomination or office.

Section 50. In like manner as prescribed for the contesting of an election, any corporation organized under the laws of or doing business in the State of Oregon may be brought into court on the ground of deliberate, serious and material violation of the provisions of this act. The petition shall be filed in the circuit court in the county where said corporation has its principal office, or where the violation of law is averred to have been committed. The court, upon conviction of such corporation, may impose a fine of not more than ten thousand dollars, or may declare a forfeiture of the charter and franchises of the corporation if organized under the laws of this state, or if it be a foreign corporation may enjoin said corporation from further transacting business in this state, or by both such fine and forfeiture, or by both such fine and injunction.

Section 51. Whoever violates any provision of this act, the punishment for which is not specially provided by law, shall on conviction thereof be punished by imprisonment in the county jail for not more than one year, or by a fine of not more than five thousand dollars, or by both such fine and imprisonment.

Section 52. Proceedings under this act shall be advanced on the docket upon request of either party for a speedy trial, but the court may postpone or continue such trial if the ends of justice may be thereby more effectually secured, and in case of such continuance or postponement the court may impose costs in its discretion as a condition thereof. No petition shall be dismissed without the consent of the District Attorney, unless the same shall be dismissed by the court. No person shall be excused from testifying or producing papers or documents on the ground that his testimony or the production of papers or documents will tend to criminate him; but no admission, evidence or paper made or advanced or produced by such person shall be offered or used against him in any civil or criminal prosecution or any evidence that is the direct result of such evidence or information that he may have so given except in a prosecution for perjury committed in such testimony.

Section 53. A petition or complaint filed under the provisions of this act shall be sufficient if it is substantially in the following form:

IN THE CIRCUIT COURT OF THE STATE OF OREGON,

For the County of.....

A. B., (or A. B. and C. D.) Contestants. }
 vs.
 E. F., Contestee. }

The petition of contestant (or contestants) above named alleges:

That an election was held (in the State, district, county or city of), on the.....day of.....A. D. 190....., for the (nomination of a candidate for) (or election of a) (State the office.)

That.....and.....were candidates at said election, and the board of canvassers has returned the said..... as being duly nominated (or elected) at said election.

That contestant A. B. voted (or had a right to vote, as the case may be) at said election (or claims to have had a right to be returned as the nominee or officer elected or nominated at said election, or was a candidate at said election, as the case may be), And said contestant C. D. (here state in like manner the right of each contestant).

And said contestant (or contestants) further allege (here state the facts and grounds on which the contestants rely).

Wherefore, your contestants pray that it may be determined by the court that said was not duly nominated (or elected) and that said election was void (or that the said A. B. or C. D., as the case may be) was duly nominated (or elected) and for such other and further relief as the court may seem just and legal in the premises.

Said complaint shall be verified by the affidavit of one of the petitioners in the manner required by law for the verification of complaints in civil cases.

Section 54. The statement of expenses required from candidates and others by this act shall be in substantially the following form:

STATE OF OREGON, }
 County of } ss.

I,, having been a candidate (or expended money) at the election for the (State) (district) (county) (city) of..... on the day of A. D. 190....., being first duly sworn, on oath do say: That I have carefully examined and read the return of my election expenses and receipts hereto attached, and to the best of my knowledge and belief that return is full, correct and true.

And I further state on oath that, except as appears from this return, I have not, and to the best of my knowledge and belief, no person, nor any club, society or association, has, on my behalf, whether authorized by me or not, made any payment, or given, promised, or offered any reward, office, employment or position, public or private, or valuable consideration, or incurred any liability on account of or in respect of the conduct or management of the said nomination or election.

And I further state on oath, that, except as specified in this return I have not paid any money, security, or equivalent for money, nor has

any money or equivalent for money to my knowledge or belief been paid, advanced, given or deposited by any one to or in the hands of myself or any other person for my nomination or election for the purpose of paying any expenses incurred on my behalf on account or in respect of the conduct or management of the said election.

And I further state on oath that I will not, except so far as I may be permitted by law, at any future time make or be a party to the making or giving of any payment, reward, office, position or employment, or valuable consideration for the purpose of defraying any such expenses or obligations as herein mentioned for or on account of my nomination or election, or provide or be party to the providing of any money, security or equivalent for money for the purpose of defraying any such expense.

(Signature of Affiant.)

Subscribed and sworn to before me by the above named.....
on the day of, A. D. 190....

Attached to said affidavit shall be a full and complete account of the receipts, contributions and expenses of said affiant, and of his supporters of which he has knowledge, with numbered vouchers for all sums and payment for which vouchers are required as to all money expended by affiant. The affidavit and account of the treasurer of any committee or any political party or organization shall be as nearly as may be in the same form, and so also shall be the affidavit of any person who has received or expended money in excess of the sum of fifty dollars to aid in securing the nomination or election or defeat of any candidate, or of any political party or organization, or of any measure before the people.

Section 55. Any person who shall knowingly make any false oath or affidavit where an oath or affidavit is required by this law shall be deemed guilty of perjury and punished accordingly.

ARGUMENT

(affirmative)

SUBMITTED BY**THE PEOPLE'S POWER LEAGUE OF OREGON**in favor of the measures designated on the official ballot, as follows:

PROPOSED BY INITIATIVE PETITION

For an amendment to Article II of the Constitution, giving the voters power to call a special election at any time to discharge any public officer and elect his successor.

Vote YES or NO.

324. Yes.

325. No.

A bill for a law instructing members of the Legislature to vote for and elect the candidates for United States Senator who receive the highest number of votes at the general election.

Vote YES or NO.

326. Yes.

327. No.

For constitutional amendment giving the people power to make laws for election of public officers by majority vote instead of pluralities; to provide that political parties and voters' organizations shall be proportionably represented in all offices filled by the election of two or more persons, and that a voter shall vote for only one person for any office, and may indicate his second, third, etc., choice; and to provide for a simple method of precinct residence and registration.

Vote YES or NO.

328. Yes.

329. No.

A bill for a law to limit the amount of money candidates and other persons may contribute or spend in election campaigns; declaring what shall constitute corrupting use of money and undue influence in elections and punishing the same; prohibiting attempts on election day to persuade any voter to vote for or against any candidate or candidates, or any measure submitted to the people; to protect the purity of the ballot; furnishing information to voters concerning candidates and parties, partly at public expense, and providing for the manner of conducting election contests.

Vote YES or NO.

330. Yes.

331. No.

THE PEOPLE'S POWER LEAGUE OF OREGON

Offers this Argument to explain, and advocate the approval by the people of the following measures proposed by the League by initiative petitions:

Official Ballot No. 324, — A Constitutional amendment for the Recall, giving the voters power to discharge any public officer and elect his successor.

Official Ballot No. 326, — A Bill for a law instructing members of the Legislature to vote for and elect the candidate for United States Senator who receives the highest number of votes at the general election.

Official Ballot No. 328, — A Constitutional amendment giving the people power to make laws for election of public officers by majority vote, or by proportional representation of the voters' organizations and political parties, and also power to make a simple law for precinct residence and registration of voters.

Official Ballot No. 330, — A Bill for a law to limit the amount of money candidates and other persons may contribute or spend in election campaigns; to prohibit and punish the corrupting use of money and undue influence in elections; to protect the purity of the ballot and furnish information to voters concerning candidates and all political parties, partly at public expense.

The following list gives the names of the officers, executive committee and members of the People's Power League on the 3d day of February, 1908:

OFFICERS.

BEN SELLING, of Portland, President;
 GEORGE M. ORTON, of Portland, Vice-President;
 B. LEE PAGET, of Portland, Treasurer;
 W. S. U'REN, of Oregon City, Secretary.

EXECUTIVE COMMITTEE.

Henry Hahn	Frank Williams	E. C. Bronaugh.
I. N. Fleischer	John C. Young	C. E. S. Wood
Jonathan Bourne, Jr.	C. S. Jackson	Thomas G. Greene
Thomas A. McBride	Geo. W. Riddle	D. Solis Cohen
C. H. Gram	W. C. Bristol	
C. G. Huntley	Harry Lane	

MEMBERS.

Geo. E. Chamberlain	W. K. Newell	Thomas O'Day
John H. Smith	F. McKercher	Charles K. Henry
O. P. Coshov	John Bain	J. E. Hedges
Emmett Callahan	E. Lang	G. W. Holcomb
J. M. Lawrence	Oswald West	W. T. Houser
M. C. Thorsen	V. R. Hyde	J. R. Oatfield
Lee M. Clark	E. S. J. McAllister	P. McDonald
T. M. Leabo	J. H. Page	W. A. Worstell
John A. Jeffrey	Rodney L. Glisan	H. W. Drew
H. J. Parkison	C. A. Barrett	F. E. Davidson
Alex Sweek	Frank J. Peterson	Henry Denlinger
O. D. Teel	Joseph Bickner	William E. Burke
Henry Gans	Max Burgholzer	W. R. U'Ren
W. S. Hallman	Herman Wise	Thomas N. Strong
Henry E. McGinn	F. A. Spencer	Martin Winch
C. Schuebel	W. P. Olds	Henry L. Barkley

This League is largely composed of the same group of men who proposed the Initiative and Referendum amendment in 1902, the Direct Primary Law in 1904, and Home Rule for Cities and other measures of the People's Power League of 1906. Its object is to complete the direct power of the voters of Oregon over their state and local government in all its branches and officers. Many of our members were with Mr. Ed. Bingham in his agitation for the Australian ballot law and the registration law.

We believe the approval of the above four measures by the people will complete the necessary practical methods by which the voters of Oregon will be able quickly, directly and effectively to use their supreme power over the officers as well as the laws of our state and local government.

By adopting the Recall amendment, No. 324 on the official ballot, the people will take power to discharge any elected public officer and choose his successor at a special election; they may do this for any reason that seems to them sufficient. To get the best service from all officers at all times, it is as necessary that the people shall be able to

discharge any of their public servants as it is that a farmer or any other employer should have power to discharge his hired man. This amendment is substantially the Los Angeles method adopted in 1903; and which has since been followed by many cities in California, including San Francisco at the November election, 1907; Seattle, Washington, and Grand Rapids, Michigan, in 1906; Lewiston, Idaho, 1907; all the cities of Iowa of twenty-five thousand population and over by a general law in January, 1907. The people of one ward in Los Angeles once discharged a boodling alderman by this method. It has not been necessary to use it there since.

We cannot more fitly introduce the bill instructing members of the Legislature to elect the people's choice for United States Senator than by the following quotation from an editorial of the daily Oregonian of January 23, 1907, showing the effect of Statement No. 1:

"A MILESTONE IN HISTORY."

"The virtually unanimous ratification by the Legislature of the popular choice of Mr. Mulkey and Mr. Bourne for United States Senators marks an epoch in the political history of Oregon. It is not likely that the precedent thus firmly established will be broken hereafter. The time of the Legislature will henceforth be devoted to the business of the state; its only concern with the election of senators will be to fulfill the constitutional form by ratification of an antecedent popular choice. * * *

"Seldom has a body of public men given a finer demonstration of loyalty to American principles than the Oregon Legislature gave in ratifying promptly and decisively the popular election of Senators Mulkey and Bourne. By doing this they have acknowledged the fundamental truth upon which our institutions rest, namely: that all power ultimately resides in the people and that whenever the people choose to exercise this power directly it is their right to do so. Our legislators have also acknowledged with noble fidelity to fact and reason, that, high as their duties may be, they are but the servants or agents of the people, and that the popular mandates expressed under the forms of law are of binding obligation upon all public officials. We may therefore say without undue insistence on its importance, that the ratification by the Oregon Legislature of the popular choice of our senators marks an epoch in the development of free institutions."

Many politicians are now opposing the people's power to select and name their United States Senators through the Statement No. 1 pledge of candidates for the Legislature. They do not offer any better plan, but only seek to go back to the old legislative methods.

Without some clear, definite, unquestionable and forcible expression by the people, directly in favor of the principle of Statement No. 1, there is danger that the professional politicians may win, and thereby cause

the Legislature of Oregon to set another "milestone in history," only that it will be BACKWARD towards corruption, instead of forward towards the "development of free institutions."

The real issue at the bottom of the Statement No. 1 contest is this: Do the people of Oregon want to exercise the power at their general elections to select and choose their United States Senators from any political party or no political party, as it may please the majority? Having so selected their United States Senator, do the people want their Legislative Assembly to ratify their choice and elect the candidate they have selected at their general election? Do they, the people of Oregon, want their Legislative Assembly to obey their instructions for such ratification and formal election, regardless of whether or not they, the people of Oregon, have been pleased to select their candidate for United States Senator and a majority of the members of their Legislative Assembly from the same political party?

Do the people of Oregon want to be master or servant of their political parties and public officers, and especially of their members of the Legislative Assembly? Washington, Lincoln, and all the really great statesmen of America have always placed the people far above all political parties.

If you vote for this bill, No. 326 on the official ballot, every politician in Oregon and every member of the Legislative Assembly will know and remember that you understand and intend to keep the Statement No. 1 power you exercised in 1906 to select your United States Senators; that you will choose your United States Senators and require the members of the Legislature to choose and formally elect the candidates whom you select for that office by the highest number of your votes at your general elections.

By voting for the Proportional Representation amendment, No. 328 on the official ballot, the people will resume their power to make such laws as will enable every organization of citizens, as well as every political party, to elect members of the Legislature in proportion to the number of its supporters in the district; then if an organization in a district choosing more than one member, as in Multnomah County, for example, which elects twelve Representatives, every candidate will be elected who receives one-twelfth of the votes cast in that district; therefore, every organization of one-twelfth or more of the voters would elect as many representatives as it had twelfths of the voters in that county or district. But for one organization to elect all the representatives, as it does under the present system, it must be the only party and have all the voters.

Under the best methods of electing Representatives by proportional representation, and which the people will have power to adopt in Oregon if this amendment is approved, every one-sixtieth of the voters

in the state will be able to elect one Representative; but to elect fifty-nine of the sixty Representatives, as one party did at the last election, it must have fifty-nine of every sixty voters in the state; the people will also have power, under this amendment, to make laws requiring an actual majority of the votes for the election of any or all public officers. Practical methods have been invented by which these things are done in some countries.

In the Legislature of Oregon there are but few men who were elected because of their special knowledge or experience in the science or conditions of agriculture, labor, transportation, banking, merchandising, teaching or preaching. Of the ninety members, eighty-three were elected principally because they were republicans and seven because they were democrats.

It might not be quite so bad if only the political parties were justly represented; but fifty-four thousand men (in round numbers) voting the republican ticket elected fifty-nine of our sixty Representatives at the last election, while forty thousand opposition voters, democrats, socialists and prohibitionists, were able to elect only one representative.

Until our state constitution is amended no better system of elections can be adopted. This amendment is not intended to provide a system, but if it is approved, the voters of the state can then enact laws for any plans that will get the fairest results in Oregon; also, they will have power to make a simple registration law.

The Huntley Bill for a law for purity of elections, limitation of candidates' expenses and prevention of corrupt practices, No. 330, 331, on the official ballot, is patterned after the very successful British laws of 1883 and 1895 for the same purpose.

Reason is the only safe influence in the politics of a free people. Promises by candidates or others to appoint voters to desirable offices or employment, and the secret use of money to influence elections, are dangerous to liberty, because they are always used for the advantage of individuals or special interests and classes, and never for the common good. The right to spend large sums of money publicly in elections tends to the choice of none but rich men or tools of wealthy corporations to important offices, and thus deprives the people's government of the services of its poorer citizens, regardless of their ability. The primary purpose of this bill is, as nearly as possible, to prevent the use of any means but arguments addressed to the voter's reason in the nominations and elections of Oregon.

President Roosevelt advocates the enactment of laws on the lines of this bill; it is an effort to give poor men an equal chance with the men who are supported by wealth in aspiring for nomination and election to public office; it aims to prevent the grafting of candidates and public officers for liquors, contributions, cigars, and other forms of corrupting

influence; it prohibits a candidate from spending in his campaigns more than one-fourth of one year's salary of the office to which he aspires; it provides for mailing to all registered voters some campaign literature, partly at the expense of the state; it requires from candidates and their agents and party committee sworn itemized statements of the money received and paid out; prohibits corporation contributions; makes campaign committees' books and accounts subject to public examination at reasonable times; and provides a method for casting out fraudulent ballots. It is necessarily long and looks complicated. So were the Australian Ballot and Direct Primary Laws, but they both proved simple in operation. This will be as simple as those laws: the members of the People's Power League believe it is as necessary as they were, and will produce at least as good results.

The bill permits any person to do as much writing, speaking, publishing or other work, and spend as much time as he wishes, without pay, for any candidate or political party. Hired workers at the polls are prohibited, except as challengers and to watch the count. It is made unlawful for any alleged public benefit scheme, charitable, religious or otherwise, to beg from candidates or public officers. Candidates and their friends may electioneer without limit before election day, but on that day the voter shall be allowed to go to the polls and vote as his own judgment dictates, absolutely free from solicitation, question, or argument for votes, either for men, measures or parties. This, of course, does not prevent any person from giving information to a voter on election day when he asks for it, but it must not be offered or volunteered. No false charges may be lawfully published against a candidate's character until ten days after a copy has been served personally upon him.

Respectfully submitted to the electors of Oregon by

THE PEOPLE'S POWER LEAGUE OF OREGON.

(Endorsed)

Filed February 3, 1908.

F. W. BENSON, Secretary of State.

A BILL

TO BE SUBMITTED TO THE LEGAL ELECTORS OF THE STATE OF
OREGON FOR THEIR APPROVAL OR REJECTION

AT THE

REGULAR GENERAL ELECTION

TO BE HELD

ON THE FIRST DAY OF JUNE, 1908,

To propose by initiative petition a law for the protection of salmon and sturgeon in the waters of the Columbia and Sandy rivers and their tributaries, and prescribing a penalty for a violation of the law.

By initiative petition filed in the office of the Secretary of State, January 30, 1908, in accordance with the provisions of Chapter 226, General Laws of Oregon, 1907.

Printed in pursuance of Section 8 of Chapter 226, Laws of 1907.

Secretary of State.

The following is the form and number in which the question will be submitted on the official ballot:

PROPOSED BY INITIATIVE PETITION

For an act prohibiting, after August 25th, 1908, fishing for salmon or sturgeon at any time, by any means, except hook and line, in the Sandy River or any of its tributaries, or in the Columbia River or any of its tributaries, at any place up stream from its confluence with the Sandy River, or with hook and line during the spawning season.

Vote YES or NO.

332. Yes.

333. No.

[On Official Ballot, Nos. 332 and 333.]

A BILL

To propose by initiative petition a law for the protection of salmon and sturgeon in the waters of the Columbia and Sandy rivers and their tributaries, and prescribing a penalty for a violation of the law.

Be it enacted by the people of the State of Oregon:

Section 1. That after August 25th, 1908, it shall be unlawful to catch, take or fish for salmon or sturgeon at any time by any means whatever, except with hook and line, commonly called angling, from or in the waters of the Columbia River or any of its tributaries at any place up stream or easterly from or of its confluence with the Sandy River, or from or in the waters of the Sandy River or any of its tributaries; or to catch, take or fish for salmon or sturgeon in any manner whatever during the spawning season in any of the waters of the Columbia River or any of the tributaries thereof at any place up stream from or easterly of the confluence of said Columbia and Sandy rivers or in any of the waters of said Sandy River or any of its tributaries, at any place up stream or southerly of the confluence of said Columbia and Sandy rivers.

Section 2. Wherever the word "salmon" is used in this law the same shall be deemed and held to include Chinook, Steelheads, Bluebacks, Silversides and all other anadromous species of salmon.

Section 3. That any person, firm or corporation violating any of the provisions of this law shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine of not less than \$100.00 nor more than \$1,000.00 or by imprisonment in the county jail for not less than twenty-five days nor more than one year or by both such fine and imprisonment.

ARGUMENT

(affirmative)

SUBMITTED BY

THE COLUMBIA RIVER SALMON PROTECTIVE ASSOCIATION

in favor of the measure designated on the official ballot as follows:

PROPOSED BY INITIATIVE PETITION

For an act prohibiting, after August 25th, 1908, fishing for salmon or sturgeon at any time, by any means, except hook and line, in the Sandy River or any of its tributaries, or in the Columbia River or any of its tributaries, at any place up stream from its confluence with the Sandy River, or with hook and line during the spawning season.

Vote YES or NO.

332. Yes.

333. No.

ARGUMENT FOR THE BILL TO PROHIBIT FISHING FOR SALMON IN THE NARROWS OF THE UPPER COLUMBIA.

We, the undersigned, officers of the Columbia River Salmon Protective Association, hereby submit the following argument in support of the bill "For the Protection of Salmon and Sturgeon in the Waters of the Columbia and Sandy Rivers and their Tributaries."

This bill was submitted on the initiative petition to the signers as follows:

"INITIATIVE PETITION.

"Measure prepared and circulated by the Columbia River Salmon Protective Association.

"Bill for a law for the better protection of salmon and sturgeon in the waters of the Columbia and Sandy rivers.

"The salmon industry provides employment for 5,000 of our best and most loyal citizens, and brings into the State \$3,000,000 annually; but, for want of proper protection, the salmon is being rapidly destroyed.

"By prompt and proper protection, as provided for in this bill, this industry cannot only be saved but can be built up to such an extent that

it will give employment to, and sustain the families of, at least 15,000 of our citizens, and bring \$10,000,000 annually into our State.

OFFICERS AND EXECUTIVE COMMITTEE.

GEORGE M. ORTON, of Portland, President.

JAY TUTTLE, of Astoria, Vice-President.

F. E. BEACH, of Portland, Treasurer.

H. M. LORNTSEN, of Astoria, Secretary.

Thomas A. McBride, of Oregon City	James Withycombe, Corvallis
Wm. I. Vawter, Medford	Jas. A. Lackey, Ontario
G. S. Wright, McMinnville	C. G. Huntley, Oregon City
Chas. G. Roberts, Portland	Wm. Miller, Burns
D. H. Miller, Medford	John H. Smith, Astoria
T. B. Kay, Salem	Frank Kankkonen, Astoria."

This bill, if it receives the majority vote of the people of Oregon, will perpetuate the salmon industry of the Columbia.

This bill provides that all fishing for salmon or sturgeon for commercial purposes shall stop in the Columbia or its tributaries, where the Columbia becomes so narrow that the salmon have no chance to get to the hatcheries and natural spawning grounds, if fishing is permitted.

Every Nation and State possessing salmon streams, seeing how salmon were being destroyed by fishing in the narrows of the rivers, has adopted the principle contained in this bill.

Oregon passed a law in 1901 which stopped fishing for salmon in its rivers with stationary appliances, and provided for dead lines against fishing where our rivers became narrow.

The Columbia was excepted from this law because the power and influence of the few rich men owning fish wheels in the upper Columbia prevailed against the logic and earnestness of the men who plead for the preservation of our salmon.

What has been the result of this failure to include the Columbia in this protective measure?

In the Columbia the salmon are steadily decreasing, especially our Chinook salmon, the king of all salmon.

In the rivers affected by the law of 1901 the salmon are increasing. In these rivers, over-fished prior to 1901 by stationary gear and by fishing in the narrows, the pack of Chinook salmon had fallen to 689,338 pounds. With stationary gear abolished and dead lines drawn at head of tide, and sometimes below head of tide, there was immediate increase in number of salmon reaching our hatcheries and spawning grounds. The salmon were thus given a chance to spawn.

In 1906 in these rivers were packed 3,018,980 pounds of Chinook salmon. That is an increase of 300 per cent over 1901. Other varieties of salmon likewise increased. And allowing for a certain rise and fall in the pack on account of peculiar water conditions, which during some seasons prevent the salmon from ascending to their proper spawning

grounds, or later destroy some of the spawn, a steady and encouraging increase of our salmon in all of our Oregon rivers, excepting the Columbia, can be noted.

As stated, the law of 1901 did not apply to the Columbia. In the Columbia the salmon pack is decreasing though appliances to catch the salmon are on the increase. The pack of 1907 fell about 30 per cent short of the pack of 1906. This decrease is bad. But what is far worse, is the almost absolute absence of our salmon in the upper Columbia, the best spawning ground for the best variety of our Chinook salmon.

There is absolute proof that the fish wheels of the upper Columbia have had of late years an almost absolute monopoly on salmon reaching the narrows and falls of the Columbia. The State of Washington, not getting any fish, has closed its four hatcheries on the upper Columbia. And Oregon is following suit. Where only three or four years ago these up-river hatcheries got as many as 20,000 male and female salmon, only a few hundred are now caught by hatchery officials, and the natural spawning grounds are also empty of spawn.

What the Legislature of 1901 and subsequent legislatures, for reasons before mentioned, failed to do for the Columbia, we now ask the people to do by voting "Yes" on this bill.

Because special privilege and unjust monopoly had so often thwarted the will of the people in the Legislature, the initiative and referendum was adopted—the people's direct rule was established. We urge you to apply the people's rule towards the saving of our fisheries.

A favorable vote for this bill means that 5,000 fishermen on the Columbia will be enabled to continue to make a living at their accustomed calling. A favorable vote also means that a great food supply for our people will be saved to this and future generations, and that about \$5,000,000 invested in the fishing industry of the Columbia will be preserved as a standing asset of the wealth of our State.

A vote against this bill means that a few rich fish-wheel owners of the upper Columbia will be permitted for a few more years to pile up great wealth at the cost of the destruction of one of Oregon's greatest industries, the salmon fisheries.

Again we urge upon you to vote "Yes" on this bill.

G. M. ORTON,	F. E. BEACH,	H. M. LORNTSEN,
President.	Treasurer.	Secretary.

COLUMBIA RIVER SALMON PROTECTIVE ASSOCIATION.

Portland, Oregon, January 30, 1908.

(Endorsed)—

Filed January 31, 1908.

F. W. BENSON, Secretary of State.

ARGUMENT

(negative)

SUBMITTED BY

SEUFERT BROS., WARREN PACKING COMPANY, and P. J.
McGOWAN & SONS, for selves and others in interest,

opposing the measure designated on the official ballot as follows:

PROPOSED BY INITIATIVE PETITION

For an act prohibiting, after August 25th, 1908, fishing for salmon or sturgeon at any time, by any means, except hook and line, in the Sandy River or any of its tributaries, or in the Columbia River, or any of its tributaries, at any place up stream from its confluence with the Sandy River, or with hook and line during the spawning season.

Vote YES or NO.

332. Yes.

333. No.

ARGUMENT AGAINST BILL

To prohibit fishing for salmon in the falsely claimed narrows of the upper Columbia, which are in reality from one-half of a mile to a mile wide. (Submitted under initiative petition of a self-styled Columbia River Salmon Protective Association and under farcical title of "Bill for a law for better protection of salmon and sturgeon in the waters of the Columbia and Sandy rivers.")

This bill, if enacted, will be class legislation. Its purpose is to abolish one class of gear—WHEELS—for the benefit of other classes—GILL-NETS, SEINES, TRAPS, that already catch 95 per cent of the salmon. It comes from the fishermen's union of Astoria, composed wholly of gill-netters, mostly foreigners without fixed residence, and few taxpayers. This fishermen's union is aided in the campaign for the bill by the International Seamen's Union of America and allied Astoria interests, as the following reprint from the Coast Seamen's Journal, January 15, 1908, will testify:

"The International Seamen's Union of America, in its convention held at Chicago, Ill., December 2-11, unanimously voted \$500 for the purpose of legislation against fish-wheels, and later the Fishermen's Co-Operative Packing Company, of Astoria, Oregon, put up \$1,000 for the same purpose."

The effort of the lower river to drive out the wheels, is in opposition to the views of unprejudiced authorities, State and National. The U. S. Bureau of Fisheries opposes it and sees no reason for their elimination. The views of this Bureau are fully set forth further along in a letter written by Oscar Strauss, U. S. Secretary Commerce and Labor.

This bill purports to have the support of a so-called Columbia River Salmon Protective Association. We do not desire to criticise the motives of the gentlemen comprising this association, but we feel that the use of their names has been secured by gross misrepresentations, and further, that, with exception of those hailing from Clatsop County whose motives are well known, not one is possessed of sufficient knowledge by personal research to be competent authority. If you wanted medical attention you would not seek a banker who had been told of appendicitis operations, nor for soil needs would you consult a merchant, or for stock breeding a manufacturer.

For years lower-river interests have striven to eliminate all others in favor of a monopoly of their own, a miniature Standard Oil, fostered by a union, without union principles, which wants to pursue salmon twenty-four hours a day, seven days in the week, fifty-two weeks in the year, with no other protection than that to be given at the expense of the other fellow, and, as before stated, this union is backed as largest contributors by Astoria canneries and further encouraged by one of the largest salmon trusts in the world seeking to throttle legitimate opposition.

In 1893, at the instigation of upper Columbia interests who had previously been operating a hatchery at their own expense, a License Bill to raise money for propagation was passed. H. D. McGuire was appointed Fish Commissioner, and most effectively enforced the Sunday close laws and close seasons until his untimely death. Mr. F. C. Reed was named to succeed him. He followed Mr. McGuire in his strict adherence to the statutes. Astoria interests demanded the non-enforcement of close seasons; Mr. Reed refused; his head fell, and a tractable Astoria citizen succeeded him. From this time is marked the decline of the industry, the depletion of hatcheries, and the shame of the State. The seasons of plentiful hatchery supplies referred to in the affirmative argument ended in 1903, the last season of returns possible under the efficient administrations of McGuire and Reed. The dearth commences in 1904, the first results visible under the non-enforcement of laws by Mr. Van Dusen, and this dearth is more apparent in face of the fact that less fishing gear has been employed on the upper river in later years than during years when the hatcheries had plenty of spawning salmon. The truth is apparent—NOT UP-RIVER FISHING IS THE CAUSE, BUT OVER-FISHING AT ASTORIA AND ON THE LOWER COLUMBIA, BAR FISHING, CHANNEL FISHING, INCREASE OF GEAR, LONGER OPEN SEASON, NO SUNDAY LAW, AND HEEDLESS VIOLATION OF ALMOST EVERY PROTECTIVE MEASURE ON THE STATUTES. The Oregonian has made a most noble fight against the suicidal policy, as its files from 1900 to date will attest. The up-river men have added their pleas, the Government officials have written volumes, all to no purpose. Will you

now further place your stamp of approval on these methods? We think not.

A summary of the situation is made in the following quotation from a most able Oregonian editorial, January 21st, 1907:

"Not fishing above tidewater in the Columbia River has brought the salmon industry to its present plight and threatens it with extinction, but over-fishing all along the river, non-observance of closed season, extension of open season by successive legislatures, increasing destructiveness of gear, fishing on the bar."

A perusal of the Reports of the following investigators will further show the absolute injustice and partisan character of this measure:

Major Jones to War Department, 1888.

Oregon Special Legislative Investigating Committee, 1889.

Washington Special Legislative Investigating Committee, 1897.

Oregon Senate Special Committee, 1897-98.

We also quote from a letter written January 10th, 1907, by the greatest authorities in the country, the U. S. Bureau of Fisheries of which Oscar Strauss, Department Commerce and Labor, is chief:

"THE DEPARTMENT SEES NO REASON FOR ADVOCATING THE ELIMINATION OF FISHWHEELS FROM THE RIVER, AS THERE IS NO EVIDENCE TO SHOW THAT THIS FORM OF APPARATUS IS PARTICULARLY DESTRUCTIVE TO SALMON. A CONDITION THAT IS SPECIALLY FAVORABLE FOR THE PASSAGE OF SALMON—NAMESLY, VERY HIGH WATER—RENDERS THE WHEELS UNSERVICEABLE; AND, ON THE OTHER HAND, PERIODS OF VERY LOW WATER, WHEN THE FISH ARE MUCH RESTRICTED IN THEIR MOVEMENTS, ARE ALSO UNFAVORABLE FOR THE WHEELS. DURING THE PAST TWO OR THREE SEASONS THE CATCH OF SALMON BY WHEELS HAS BEEN SMALL; BUT EVEN IF IT WERE VERY LARGE IT WOULD BE A FACT OF NO SPECIAL SIGNIFICANCE IN THE PRESENT CONNECTION.

"THE COLUMBIA RIVER IS, HOWEVER, MADE TO YIELD A QUANTITY OF SALMON FAR GREATER THAN REGARD FOR THE FUTURE SUPPLY PERMITS, AND THE DRAIN IS YEARLY BECOMING MORE SERIOUS. NO ONE FAMILIAR WITH THE SITUATION CAN FAIL TO APPRECIATE THE MENACE TO THE PERPETUITY OF THE INDUSTRY THAT IS FURNISHED BY THE CONCENTRATION OF A TREMENDOUS AMOUNT OF FIXED AND FLOATING APPARATUS OF CAPTURE IN AND NEAR THE MOUTH OF THE RIVER. THIS APPARATUS COMPRISES ABOUT 400 POUND NETS OR TRAPS, OVER 80 LONG SWEEP-SEINES, AND MORE THAN 2,200 GILL-NETS, THE LAST HAVING AN AGGREGATE APPROXIMATE LENGTH OF OVER 570 MILES; AND THESE APPLIANCES CAPTURE MORE THAN 95 PER CENT OF THE FISH TAKEN IN THE OREGON AND WASHINGTON WATERS OF THE RIVER, THE FIGURES FOR 1904 BEING NEARLY 34,000,000 POUNDS, OR 98.7 PER CENT OF THE TOTAL YIELD."

Beyond all these arguments is one of selfish interest to you. The taxpayers have furnished hatcheries rendered useless by greed and incompetent officials. Shall they further tax themselves to pay for the property condemned by this proposed partisan measure; that they will have to pay something like \$500,000 is certain, as decisions of highest court in the land will attest. A vote "Yes" to this bill means more injustice, more inefficiency, more taxes. We ask you to vote "No," and think you will.

There is another measure before the people which restricts all gear without abolishing any, and is a fair deal, as it carries the recommendation of all the eminent authorities; we commend it to your favorable consideration as a just solution and not a selfish incompetent plea.

The undersigned desire to appeal to the intelligent voters and with the words and facts expressed allow you to draw your conclusions, feeling safe that your honest judgment will penetrate the fallacies and unfounded statements and cause you to vote "No" emphatically to this bill, No. 333, which is a most unjust attempt at discrimination in favor of unworthy petitioners at the expense of the tax-paying public.

SEUFERT BROS.,
WARREN PACKING CO.,
P. J. MCGOWAN & SONS,

For selves and others in interest.

(Endorsed)—

Filed February 21, 1908.

F. W. BENSON, Secretary of State.

AN AMENDMENT

TO THE

CONSTITUTION OF THE STATE OF OREGON

TO BE SUBMITTED TO THE LEGAL ELECTORS OF THE STATE OF
OREGON FOR THEIR APPROVAL OR REJECTION

AT THE

REGULAR GENERAL ELECTION

TO BE HELD

ON THE FIRST DAY OF JUNE, 1908,

TO AMEND

SECTION 18 OF ARTICLE VII

By initiative petition filed in the office of the Secretary of State, January
30, 1908, in accordance with the provisions of Chapter
226, General Laws of Oregon, 1907.

Printed in pursuance of Section 8 of Chapter 226, Laws of 1907.

Secretary of State.

The following is the form and number in which the question will be
printed on the official ballot:

PROPOSED BY INITIATIVE PETITION

For constitutional amendment providing for the choos-
ing of jurors and grand jurors, and that no person
can be charged in the Circuit Courts with the com-
mission of a crime or a misdemeanor except upon
indictment found by a grand jury, except when a
court holds an indictment to be defective, the Dis-
trict Attorney may file an amended indictment.

Vote YES or NO.

334. Yes.

335. No.

[On Official Ballot, Nos. 334 and 335.]

CONSTITUTIONAL AMENDMENT.

Section 18 of Article VII of the Constitution of the State of Oregon shall be, and hereby is, amended to read as follows:

Section 18. The Legislative Assembly shall so provide that the most competent of the permanent citizens of the county shall be chosen for jurors; and out of the whole number in attendance at the court, seven shall be chosen by lot as grand jurors, five of whom must concur to find an indictment. No person shall be charged in any Circuit Court with the commission of any crime or misdemeanor defined or made punishable by any of the laws of this State, except upon indictment found by a grand jury. *Provided, however,* that any District Attorney may file an amended indictment whenever an indictment has, by a ruling of the court, been held to be defective in form.

ARGUMENT

(affirmative)

SUBMITTED BY

CHARLES H. CAREY, C. E. S. WOOD, W. S. U'REN, JOHN BAIN,
C. S. JACKSON, L. A. McNARY, JOSEPH N. TEAL, BEN
SELLING, EMANUEL SICHEL, H. J. PARKISON,

in favor of the measure designated on the official ballot as follows:

PROPOSED BY INITIATIVE PETITION

For constitutional amendment providing for the choosing of jurors and grand jurors, and that no person can be charged in the Circuit Courts with the commission of a crime or a misdemeanor except upon indictment found by a grand jury, except when a court holds an indictment to be defective, the District Attorney may file an amended indictment.

Vote YES or NO.

334. Yes.

335. No.

ARGUMENT IN FAVOR OF ABOVE AMENDMENT.

Under the present law, any district attorney can file an information against a man for any crime, from murder down. The accused is not entitled of right to any preliminary hearing and the first he knows of the matter may be his arrest. He may never be tried at all, the information or indictment may be dismissed, and yet his record is blackened. It may be that it is not intended from the start that he ever should be tried, but the information is issued to serve some political purpose, private revenge or the scheme of a ring hostile to the victim. It is un-American. It is too much like the despotism of Russia and it is too much power to be vested in the hands of any one man. The whole history of Anglo-Saxon institutions is a battle against this very thing: the power of one man to brand another with crime and lodge him in prison. It is a return to the Star Chamber decrees of Charles I and the time was when Englishmen and Americans thought no time or money thrown away which protected every citizen from arbitrary arrest and arbitrary arraignment and trial at the will of a single man. In England the same jealousy exists today, and no man can be brought to trial save on an indictment

by a grand jury. The fathers of our country were careful to write that into the United States Constitution, but it is not yet an article of the State Constitution. The time has come when it should be there, for the time will inevitably come when wealth and great interests will seek to shut the mouth of every man who is against them; and if we may judge the future by the past, the powerful interests are apt to control the political offices, including the district attorney.

The only argument urged against this amendment is that the present plan is cheaper. If the citizens of Oregon prefer a few dollars to a great fundamental principle of personal liberty, then they certainly do not deserve their liberties and they might as well be left open to the whims, vengeance, mistakes or political intrigues of any district attorney. The citizens of this country will make a great mistake if they let go that part of the administration of the law which belongs to them through the grand jury and the petty jury, and we repeat that this present arbitrary power lodged in one man is un-American and dangerous.

CHAS. H. CAREY,
W. S. U'REN,
C. S. JACKSON,
JOSEPH N. TEAL,
C. E. S. WOOD,
JOHN BAIN,
L. A. McNARY,
BEN SELLING,
EMANUEL SICHEL,
H. J. PARKISON.

(Endorsed)—

Filed February 3, 1908.

F. W. BENSON, Secretary of State.

A BILL

**TO BE SUBMITTED TO THE LEGAL ELECTORS OF THE STATE OF
OREGON FOR THEIR APPROVAL OR REJECTION.**

AT THE

REGULAR GENERAL ELECTION

TO BE HELD

ON THE FIRST DAY OF JUNE, 1908,

To propose by initiative petition a law to create the County of Hood River and to fix the salaries of the officers thereof.

By initiative petition filed in the office of the Secretary of State, January 30, 1908, in accordance with the provisions of Chapter 226, General Laws of Oregon, 1907.

Printed in pursuance of Section 8 of Chapter 226, Laws of 1907.
Secretary of State.

The following is the form and number in which the question will be submitted on the official ballot:

PROPOSED BY INITIATIVE PETITION

A bill for an act to create the County of Hood River out of the western portion of Wasco County; providing for its organization and fixing the salaries of the officers thereof.

Vote YES or NO.

336. Yes.

337. No.

[On Official Ballot, Nos. 336 and 337.]

A BILL

To propose by initiative petition a law to create the County of Hood River and to fix the salaries of the officers thereof.

Be it enacted by the people of the State of Oregon:

Section 1. That all that portion of the State of Oregon embraced within the following boundary lines be and the same is hereby created and organized into a separate county by the name of Hood River, to-wit: Beginning at a point in the middle of the channel of the Columbia River opposite the meander corner between sections three and four, township two north, range eleven east of Willamette Meridian, then running south along the section line between sections three and four and said line extended to a point on the base line at the southeast corner of section thirty-three, in township one north, range eleven east, Willamette Meridian, thence west along said base line to the northeast corner of township one south, range ten east of Willamette Meridian, thence south along the township line to the southeast corner of township three south, range ten east of Willamette Meridian, thence west along the south line of township three south, range ten east and said line extended along the south side of township three south, range nine east of Willamette Meridian, to the summit of the Cascade Mountains, and the line between Clackamas and Wasco counties; thence northerly along the summit of the Cascade Mountains and along the line between Clackamas and Wasco, and between Multnomah and Wasco counties to the middle of the channel of the Columbia River and the northwest corner of Wasco County; thence in a general easterly course along the center of the channel of the Columbia River to the place of beginning.

Section 2. That the territory embraced within the said boundary shall compose a county for all civil and military purposes and shall be subject to the same laws and restrictions and be entitled to elect the same officers as other counties of this State; *provided*, that it shall be the duty of the Governor, as soon as it shall be convenient after this act shall have become a law, to appoint for Hood River County and from its citizens the several county officers allowed by the law to other counties in this State, which said officers, when duly qualified according to law, shall be entitled to hold their respective offices until their successors are duly elected at the general election of 1910 and are duly qualified according to law.

Section 3. The temporary county seat of Hood River County shall be located at Hood River in said county until a permanent location shall be adopted. At the next general election the question shall be submitted to the legal voters of said county, and the place, if any, which shall receive a majority of all the votes cast at said election, shall be the permanent county seat of said county. But if no place shall receive a majority of

all votes cast, the question shall again be submitted to the legal voters of said county at the next general election, but between the two points having the highest number of votes at said election, and the place receiving the highest number of votes at such last election shall be the permanent county seat of said county.

Section 4. Said county of Hood River shall for representative purposes be annexed to the Twenty-ninth Representative District, and for senatorial purposes said county shall be annexed to the Sixteenth Senatorial District, being the representative and senatorial districts respectively, formerly constituted by Wasco County.

Section 5. The county clerk of Wasco County shall, within thirty days after this law shall have gone into operation, make out and deliver to the county clerk of Hood River County a transcript of all taxes assessed upon all persons and property within said Hood River County, which were previously included within the limits of Wasco County, and all taxes which shall remain unpaid upon the day this act shall become a law, shall be paid to the proper officers of Hood River County. The clerk of Wasco County shall also make out and deliver to the county clerk of Hood River County, within the time above limited, a transcript of all cases pending in the circuit and county courts of Wasco County between parties residing in or concerning property located in Hood River County and transfer all original papers in said cases to be tried in Hood River County.

Section 6. The county court of Hood River County shall be held at the county seat on the first Monday in January, April, July and October of each year.

Section 7. The said county of Hood River is hereby attached to the Seventh Judicial District for judicial purposes, and the terms of the circuit court for said county shall be held at the county seat commencing on the first Monday in July and the second Monday in January of each year.

Section 8. Until otherwise provided by law the county judge of Hood River County shall receive an annual salary of \$300.00; the county clerk of said county shall receive an annual salary of \$1,200.00; the sheriff shall receive an annual salary of \$1,200.00; and the treasurer shall receive an annual salary of \$100.00. The county school superintendent shall receive an annual salary of \$400.00; and the assessor shall receive an annual salary of \$900.00, and the county commissioners of said county shall receive \$3.00 per day for the time actually employed in county business, and mileage at the rate of ten cents per mile each way when required to travel on county business.

Section 9. The law relating to trespass of sheep and other animals shall be the same in Hood River County as now maintains in Wasco County.

Section 10. The county judge of Hood River County shall let by contract to the lowest responsible and efficient bidder, the work of transcribing all records of Wasco County, affecting real estate situate in Hood River County, and when completed they shall be examined and certified

to by the clerk of Hood River County, and shall thereafter be recognized and acknowledged as the official records of Hood River County; *provided*, the clerk of Hood River County shall be allowed to bid upon such work.

Section 11. It shall be the duty of the superintendent of schools of Wasco County, within thirty days after the appointment of a superintendent of schools for Hood River County, to make out and forward to said superintendent of schools of Hood River County a true and correct transcript or abstract of the annual reports of the clerks of the various school districts embraced within Hood River County. The commissioners hereinafter appointed to adjust the property and financial interests of Wasco and Hood River counties shall at the same time ascertain what, if any, sum of money belonging to the school fund is in the hands of the treasurer of Wasco County which should be paid to Hood River County. And said sum, if any, shall be paid to the county school superintendent of Hood River County within thirty days after such award.

Section 12. The county treasurer of Hood River County shall, not later than October 15, 1908, pay over to the treasurer of Wasco County the full amount of State tax of the assessment of 1907, due from citizens of Hood River County.

Section 13. The treasurer of Hood River County shall within one year after its organization by the appointment of its officers as hereinbefore provided, assume and pay to the county of Wasco a pro rata proportion of the remaining indebtedness, if any, of Wasco County after deducting therefrom the amount of money that has been collected in taxes from the territory taken from Wasco County by this law and included in the county of Hood River and expended by the said county of Wasco for public buildings; *provided*, that if when this law goes into effect, there is no indebtedness of Wasco County, then Hood River County shall be entitled to credit, and Wasco County shall pay to Hood River County the amount of money that has been collected in taxes from the territory taken from Wasco County by this law and included in the county of Hood River, and expended by the said Wasco County for public buildings; *provided*, *further*, that if, when this law takes effect and after the payment of all indebtedness and expenses of Wasco County up to that time, there shall be a balance of money in the hands of the treasurer of Wasco County, then and in that event the county treasurer of Wasco County shall within thirty days after this law takes effect, or within thirty days after the amount thereof shall be determined by the commissioners hereinafter appointed, pay to the treasurer of Hood River county such proportion of the balance so in the hands of the treasurer of Wasco County, after the payment of indebtedness and expenses aforesaid, as the total value of property in Hood River County bears to the total value of property in Wasco County, according to the assessment of 1907.

Section 14. The county judge of Wasco County and the county judge of Hood River County and Charles H. Sproat of Hood River County are hereby appointed a board of commissioners to determine the value of the county buildings in Wasco County, the amount of indebtedness, if any, to

be assumed by Hood River County, and paid to Wasco County, and the amount of money that may be due from Wasco County to Hood River County, under the terms of section 13 of this law. Said board shall meet at the county seat of Wasco County on the 22d day of June, 1908, or within ten days thereafter, and after taking and subscribing an oath faithfully to discharge their duties, shall proceed with such work and when it is completed, shall file reports of their conclusions in duplicate with the clerks of Wasco and Hood River counties. In case a vacancy occurs in said board the same shall be filled by appointment by the Governor of the State of Oregon.

Section 15. Within thirty days after the filing of such report either county may appeal from the decision of said board to the circuit court of Wasco County, by serving notice of appeal upon the clerk of the other county interested. Upon perfecting the issue in said circuit court, either county may demand a change of venue to any other county in the Seventh Judicial District of the State of Oregon, or other circuit of the State of Oregon, for any county which may be agreed upon by said counties; or in the event of a disagreement, to any county which may be designated by the judge of said district. The trial may be by jury and the judgment rendered may be enforced as other judgments against counties. If the county appealing fails to receive a more favorable judgment than the finding of the board appealed from by at least \$500.00, it shall pay the cost of the appeal. If no appeal be taken by either party within the thirty days above provided, the findings of said board shall be conclusive. The members of said board shall receive \$3.00 per day for each day actually employed and the same mileage as a witness in the circuit court. The expense incurred by above-mentioned board shall be borne equally by the two counties.

ARGUMENT

(affirmative)

SUBMITTED BY

THE HOOD RIVER COMMERCIAL CLUB

in favor of the measure designated on the official ballot, as follows:

PROPOSED BY INITIATIVE PETITION

A bill for an act to create the County of Hood River out of the western portion of Wasco County; providing for its organization and fixing the salaries of the officers thereof.

Vote YES or NO.

336. Yes.

337. No.

ARGUMENT SUBMITTED BY HOOD RIVER COMMERCIAL CLUB

In Favor of Initiative Bill No. 336, No. 337, for the Creation of Hood River County.

This bill is submitted under the initiative for the following, among other, reasons:

In 1906 section 2 of Article XI of the Constitution of Oregon was amended so as to read, so far as this question is concerned, as follows: "Corporations may be formed under general laws, but shall not be created by the Legislative Assembly by special laws * * *"

This section of the Constitution originally read as follows: "Corporations may be formed under general laws, but shall not be created by special laws, except for municipal purposes * * *"

This change in the Constitution absolutely prohibits the Legislative Assembly from creating a county by a law passed for that purpose alone. All the Legislature can do is to pass a general law under the terms of which any community in the State may, by complying with its provisions, organize a new county. A county is a public corporation and it is apparent that said section 2 of article XI, as amended, reserves to the people the right to create a county by initiative vote.

There is no general law for the creation of counties now, and no one knows when, if ever, there will be one. The facts as to area, population and assessed valuation submitted herewith, show, as we believe, that we are able to maintain a county government. Out of a population of about 7,500 the desire of a county for the Hood River country is earnest and

unanimous with the exception of a small fraction of one per cent. We are assured by leading citizens of The Dalles, Dufur, and other portions of Wasco County that they have no objections to the creation of Hood River County as proposed in this bill. More than 400 residents of The Dalles and Dufur have signed the petitions asking that this bill be submitted to a vote at the June election, though forty-five names from Dufur were received too late to be filed with the Secretary of State.

The people of the Hood River Country therefore ask favorable consideration of the voters of the State upon this bill for these, among other, reasons:

Because the new county will be a great benefit to the people residing therein and will facilitate the transaction of their county business.

Because as the law stands a county cannot be created by the Legislature; and finally

Because the people of The Dalles and the balance of Wasco County, we are informed and believe, are willing that Hood River County may be created as provided in this bill.

The assessed valuation in the proposed Hood River County in 1903 was \$908,568.00; in 1906 was \$1,612,670, showing a gain in valuation from 1903 to 1906 of \$710,102.00, or about 78 per cent. The valuation in 1907 was \$2,762,250.00; a gain over 1906 of \$1,143,580.00, or about 70 per cent, showing the proportionate increase in one year from 1906 to 1907 to be almost as great as that in three years from 1903 to 1906.

The proposed Hood River County has a population of about 7,500; an area of about 500 square miles; and twenty school houses, seven of which are graded schools having from two to eight rooms each and with a \$30,000.00 high school under construction.

There will be left in Wasco County, after Hood River County is created, an area of 1,646 square miles; a population of 11,500; and a valuation of \$5,457,720.00, thus leaving it among the largest and strongest counties of the State.

The tax levy on the 1907 valuation is 14 mills, which would raise in the proposed Hood River County \$38,671.50, which is ample to pay the expenses of operating Hood River County and leave a substantial balance.

Respectfully submitted,

HOOD RIVER COMMERCIAL CLUB,

By A. A. JAYNE, President.

By P. S. DAVIDSON, Secretary.

CHARLES T. EARLY

W. L. CLARK

TRUMAN BUTLER

E. O. BLANCHARD

CHARLES HALL

} Directors.

(Endorsed)—

Filed February 3, 1908.

F. W. BENSON, Secretary of State.

INDEX.

	PAGE
ACTS:	
Armories, building of	17
Argument, negative	19
Common carriers, to grant free transportation to certain officers	14
Argument, negative	19
Elections, regulation of	76
Argument, affirmative	98
Hood River County, creation of	118
Argument, affirmative	123
Legislature, instructing members thereof to vote for U. S. Senators	72
Argument, affirmative	98
Prisoners, custody and board of in counties of over 100,000 inhabitants	12
Salmon and sturgeon, act regulating fishing therefor in the Columbia River and tributaries	44
Argument, affirmative	47
Argument, negative	52
Salmon and sturgeon, act regulating fishing therefor in the Columbia River and tributaries	105
Argument, affirmative	107
Argument, negative	110
University of Oregon, for maintenance of	22
Argument, affirmative	24
Argument, negative	32
AMENDMENTS TO THE CONSTITUTION: (See Constitutional Amendments.)	
ARMORIES, building of	17
Argument, negative	19
BILLS: (See Acts.)	
CITIES AND TOWNS, exclusive regulation of theatres, etc.	58
Argument, affirmative	60
Argument, negative	61
COMMON CARRIERS, to grant free transportation to certain officers....	14
Argument, negative	19
CONSTITUTIONAL AMENDMENTS:	
Cities and towns, exclusive regulation of theatres, etc.	58
Argument, affirmative	60
Argument, negative	61
Elections, changing time of general biennial	10
Equal suffrage	36
Argument, affirmative	38
Argument, negative	42
Grand Jury, providing for the choosing of	114
Argument, affirmative	116
Legislature, increasing compensation of members of	2
Public officers, provision for discharge of	70
Argument, affirmative	98

CONSTITUTIONAL AMENDMENTS—Continued.	PAGE
Public offices, proportional representation in	74
Argument, affirmative	98
State institutions, location of	4
Supreme Court, increasing number of judges of	6
Taxation, exempting certain property from	63
Argument, affirmative	65
ELECTIONS:	
Changing time of general biennial	10
Regulation of	76
Argument, affirmative	98
EQUAL SUFFRAGE	36
Argument, affirmative	38
Argument, negative	42
GRAND JURY, providing for the choosing of	114
Argument, affirmative	116
HOOD RIVER COUNTY, creation of	118
Argument, affirmative	123
LEGISLATURE:	
Increasing compensation of members of	2
Instructing members thereof to vote for U. S. Senators	72
Argument, affirmative	98
MEASURES: (See Acts and Constitutional Amendments.)	
PRISONERS, custody and board of in counties of over 100,000 in- habitants	12
PUBLIC OFFICERS, provision for discharge of	70
Argument, affirmative	98
PUBLIC OFFICES, proportional representation in	74
Argument, affirmative	98
SALMON AND SURGEON:	
Regulating fishing therefor in Columbia River and tributaries	44
Argument, affirmative	47
Argument, negative	52
Regulating fishing therefor in Columbia River and Tributaries	105
Argument, affirmative	107
Argument, negative	110
SENATORS, UNITED STATES, instructing members of Legislature to vote for	72
Argument, affirmative	98
STATE INSTITUTIONS, location of	4
SUFFRAGE, EQUAL	36
Argument, affirmative	38
Argument, negative	42
SUPREME COURT, increasing number of judges of	6
TAXATION, exempting certain property from	63
Argument, affirmative	65
UNITED STATES SENATORS, instructing Legislature to vote for	72
Argument, affirmative	98
UNIVERSITY OF OREGON, for maintenance of	22
Argument, affirmative	24
Argument, negative	32

